

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Mara Rudman to Daniel Shapiro and Miles Lackey. Subject: FW: Phalcon Update. (7 pages)	06/26/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Senator Helms])
OA/Box Number: 620000

FOLDER TITLE:

[06/21/2000-06/30/2000]

2006-1363-F

vz5678

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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Exchange Mail

DATE-TIME 06/21/2000 1:06:23 PM

FROM Brown, Katherine A. (PRESS/INTERN)

CLASSIFICATION UNCLASSIFIED

SUBJECT June 21 NSC Press Guidance [UNCLASSIFIED]

TO Bayley, Douglas C. (WHSR)
Blackburn, John (WHSR)
Bresnahan, Gary E. (WHSR/STP)
Broadwick, Bonnie . (WHSR)
Crowder, Stevan D. (WHSR/STP)
Erdahl, Douglas M. (WHSR)
Fuchs, Joachim D. (WHSR)
Heyer, Scott C. (WHSR)
Laskowski, Gregory J. (WHSR)
McGee, Jenny A. (WHSR)
Porterfield, Patrick C. (WHSR)
Powell, Elliott (WHSR/EXSEC)
Reyes, David (WHSR)
Rickard, Robin S. (WHSR)
Rogers, Elizabeth B. (WHSR)
Sibley, Matthew W. (WHSR)
Sigler, Ralph H. (WHSR)

CARBON_COPY Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Williams, Mary C. (ADMIN)

Wozniak, Natalie S. (PRESS)
Aragoncillo, Leandro A. (VP)
Babbitt, James F. (VP)
Beardsley, Tyler S. (VP)
Black, Steven K. (VP)
Bolan, Christopher J. (VP)
Davidson, Leslie K. (VP)
Dennett, Todd H. (VP)
Fuerth, Leon S. (VP)
Gobush, Matthew N. (VP)
Hinckley, Steedman (VP)
Orfini, Michael H. (VP)
Osius, Theodore G. (VP)
Roberts, Michael W. (VP)
Saunders, Richard M. (VP)
Woolston, Ann E. (VP)

TEXT_BODY

@COMM: Please send attached ASAP to Joe Lockhart and Cindy Gire
-- both travelling with the President. Thanks.

TRANSLATED_ATTACHMENT

jun21gui2000_.doc
NATIONAL SECURITY AFFAIRS GUIDANCE

June 21, 2000

RUSSIA/NIS

Russia/Debt Rescheduling

Russia/Money Laundering

INTERAMERICAN

Haiti

Cuban Migration Talks

ASIA

SBTP on North Korea Sanctions

North Korea Missile Moratorium (new)

Taiwan/President Chen's Statements

SBTPS Meeting with the Dalai Lama (new)

AFRICA

Sierra Leone (draft/new)

NEAR EAST/SOUTH ASIA

MEPP: Israeli-Palestinian Track (new)

Lebanon

Syria

TRANSNATIONAL

Legal Conference on Cyber Security

DEFENSE

NMD/Various Points

RUSSIA/DEBT RESCHEDULING

June 16, 2000

BACKGROUND: In 1999, the U.S. and other Paris Club creditors reached agreement to reschedule debt payments on Russia's Soviet-era debt coming due in 1999 and 2000. Each creditor committed to negotiating and signing a bilateral agreement with Russia to implement the terms of the Paris Club rescheduling. The bilateral agreement with Russia which the U.S. signed on May 26, 2000 implements the Paris Club rescheduling agreed to by all creditors in 1999. In letters to President Clinton and the Secretary, Senator Helms and Rep. Gilman have announced that they are placing a hold on our bilateral agreement with Russia to implement the terms of the 1999 Paris Club debt rescheduling. Unless these holds are lifted so the agreement can go into effect before July 1, 2000, Russia will have to make a \$155 million Lend-Lease payment that will, in effect, violate the terms of the 1999 Paris Club agreement, or lose its normal trade relations status (NTR).

Any comment on Senator Helms letter to Secretary Albright, and Rep. Gilman's piece in the Washington Post (6/16/00) objecting to a debt rescheduling agreement for Russia?

* The bilateral rescheduling agreement in question is not a new initiative. It is part of the implementation of the commitment by all Paris Club members in August 1999 to reschedule payments falling due in 1999 and 2000.

* In this connection, the U.S. has agreed to reschedule -- not forgive -- certain Russian debt payments in order to maximize prospects for repayment of the debts Russia owes us.

* For the record, note that these are Soviet-era Paris Club debts. Russia is servicing debts to the Paris Club incurred since the Russian Federation was formed.

RUSSIA: MONEY LAUNDERING
June 20, 2000

BACKGROUND: USAToday (6/20), citing unnamed US official, reports that the Russians are not cooperating with the federal probe into large-scale money laundering at the Bank of New York and that the investigation is "stymied". The newspaper further reports that the Russian government is refusing to hand over to US and Swiss investigators documents that detail possible money laundering by Kremlin officials.

Comment on the USAToday article?

* Don't comment on specifics of ongoing investigations

* Understand that some assistance has been rendered; refer you to DOJ

* Are looking at ways to better facilitate and improve law enforcement cooperation between the U.S. and Russia.

* Have repeatedly raised, at high levels, concerns regarding money laundering and

corruption, and have asked Russian government to take appropriate steps

HAITI

June 19, 2000

CONTEXT: On May 21 Haitians went to the polls in record numbers to cast ballots in local and legislative elections. The elections were largely peaceful. The post election period, however, has been marked with difficulties. The Organization of American States (OAS) Observer Mission review of the tabulation process revealed a serious error in the counting method for the Senate vote. The method used by the Provisional Electoral Council (CEP) clearly favored a first round victory for former President Aristide's Fanmi Lavalas (FL) party candidates. The Government of Haiti has so far refused to accept the OAS recommendation to recount the vote. Aristide also is unwilling to compromise and has declared the OAS recommendation an "electoral coup d'etat." The opposition parties are calling for an annulment and boycott of the second round.

On June 15 President Preval summoned the Provisional Electoral Council (CEP) and demanded its endorsement of the flawed May 21 elections results. CEP President Leon Manus refused to acquiesce and fearing for his safety sought refuge with the German Ambassador. On June 17 Manus and his wife transited through the Dominican Republic en route to the United States. He is currently in Boston where his daughter resides.

NSC Senior Director Arturo Valenzuela and Haiti Special Coordinator Don Steinberg are in Haiti. They will meet with President Preval, former President Aristide, and opposition party leaders to try to resolve the electoral crisis.

What can you tell us about the flight of election chief from Haiti over the weekend? Was his life in danger?

* It is our understanding that the President of Haiti's Electoral Council left Haiti on Saturday and is presently in the United States. I have no information

about threats to his personal safety.

Does this mean that the elections are invalid?

* The Organization of American States observer mission's review of the election results revealed a serious error in the way the Senate vote was counted. The OAS is working with the GOH to rectify this error. It is our belief that once this problem is resolved then the elections as a whole will be validated.

[IF ASKED] Has the Administration sent a mission to Haiti to deal with the election crisis?

* NSC Senior Director Arturo Valenzuela and Haiti Special Coordinator Don Steinberg are in Haiti for high level meetings that will deal with the elections and other issues important to our bilateral relationship.

DRAFT
CUBAN MIGRATION TALKS
June 20, 2000

CONTEXT: The Cuban government informed the USG late last week that it wishes to postpone the upcoming round of biannual migration talks with the US, scheduled for June 27 in New York. The talks are held twice a year under the migration accords signed in 1994 and 1995 by the US and Cuba as part of a bilateral effort to curb illegal migration from Cuba and to promote safe, orderly, and legal migration.

Has the Government of Cuba canceled the upcoming round of biannual migration talks with the US?

* Late last week, the Cuban government informed us that they are postponing the upcoming round of migration talks scheduled for June 27. They cited their preoccupation with the return of Elian Gonzalez as the primary reason for the postponement.

* We were fully prepared to proceed with the talks as scheduled, and will press the Government of Cuba to provide us with another date for the talks.

* Cuban Interests Section officials reaffirmed their commitment to continued implementation of the migration accords, which are designed to facilitate safe, legal, and orderly migration from Cuba. The U.S. will continue to vigorously enforce U.S. laws on illegal migration and uphold the migration accords.

THE WHITE HOUSE

Office of the Press Secretary
(Austin, Texas)

For Immediate Release June 19, 2000

STATEMENT BY THE PRESIDENT

Since last September, when I announced the measures being implemented today to ease sanctions against North Korea, North Korea has maintained its moratorium on missile tests. These measures are supported by our close allies in the region and are part of the process of close coordination between the United States, Japan and South Korea recommended by former Secretary of Defense William Perry. We will continue to build on these efforts and on the recent North-South summit to achieve additional progress in addressing our common proliferation concerns.

30-30-30

NORTH KOREA MISSILE MORATORIUM
June 21, 2000

Core Points:

- * Pleased that North Korea has again reaffirmed its commitment to the missile moratorium it put in place last September.
- * Look forward to the bilateral missile talks at the end of the month at which we will address a range of issues related to the North Korean missile program.
- * If asked: Statement indicates continued interest by North Korea in a high-level visit in response to an invitation to visit Washington by former Secretary Perry in May 1999. We would welcome such a visit.

TAIWAIN: PRESIDENT CHEN'S STATEMENTS

June 20, 2000

Does the Administration have a position on Taiwan President Chen's statements at his June 20 press conference?

- * Continue to stand for exclusively peaceful resolution of differences between Taiwan and PRC and continue to urge both sides to resume cross-Strait dialogue without delay.

What is the U.S. position on Taiwan President Chen's invitation for PRC President Jiang to meet with him, just as North/South Korea leaders have met?

- * Up to Taiwan and PRC to work out best means of resuming cross-Strait dialogue. Most important that both sides resume dialogue without delay.

Any response to Chen's suggestion that the U.S. play a more active role in cross-Strait issues?

- * United States has a strong interest in resumption of cross-Strait dialogue to promote peace, stability, and prosperity in the region.
- * We are trying to facilitate an environment that will be conducive to productive

dialogue.

* Up to Taiwan and PRC to take tangible steps toward resumption of dialogue.

Are you willing to mediate?

* We are not seeking to mediate. Our view is that the parties should engage in dialogue directly with each other.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release June 20, 2000

STATEMENT BY THE PRESS SECRETARY

MEETING WITH THE DALAI LAMA

His Holiness, the XIV Dalai Lama, met at the White House this afternoon with the President and the National Security Advisor to discuss Tibet. The President welcomed the Dalai Lama's commitment to nonviolence and declared his strong support for the Dalai Lama's steadfast efforts to initiate a dialogue with the Chinese government. The President pledged his continued support for the Dalai Lama's effort to encourage dialogue and expressed his hope that the Chinese government will respond favorably. The President reiterated the strong commitment of the United States to support preservation of Tibet's unique religious, cultural, and linguistic heritage and to the protection of human rights of Tibetans. The President and the Dalai Lama agreed on the importance of strong and constructive U.S.-China relations.

DRAFT

SIERRA LEONE ACCOUNTABILITY

June 21, 2000

BACKGROUND: The New York Times and the Washington Times both feature stories today quoting Amb. Holbrooke's remarks at the UN Security Council yesterday on accountability in Sierra Leone, i.e., "Some form of extension of the international war crime umbrella to cover these odious people must be undertaken," but that he was against creating a new UN Tribunal. The U.S. has been consulting with the U.K., the UN, the Region, and the GoSL on the issue of accountability for crimes against humanity in Sierra Leone, and we are taking the lead in drafting a Security Council resolution. Last week, GoSL President Kabbah sent a letter to the SYG requesting assistance in setting up a war crimes tribunal to try Foday Sankoh and the top leaders of his movement for widespread atrocities. Kabbah's letter requested a tribunal with a blend of international and domestic Sierra Leone law, with Sierra Leone prosecutors working with international prosecutors, which would sit either in Sierra Leone, security permitting, or in an as yet undecided third country.

What has Sierra Leonean President Kabbah requested of UN SYG Kofi Annan in establishing a war crimes tribunal?

- * President Kabbah has sent a letter to UN Secretary General Kofi Annan requesting assistance in setting up a war crimes tribunal.

- * The letter sought the establishment of a special court that would blend international and Sierra Leonean law and would allow the international community, the region, and the Government of Sierra Leone to work together to bring the principal perpetrators of atrocities in Sierra Leone to justice.

What is the U.S. position on Kabbah's request for a tribunal?

- * We are supportive of the GoSL's request, and we are examining how the U.S. can support the effort.

- * In consultation with the GoSL, the UN, and other interested parties, the U.S.

is actively considering options for possible Security Council action.

Any comment on Amb. Holbrooke's statement that he didn't think a tribunal was the best way to bring Foday Sankoh to justice?

* We are examining all possible options as we seek to respond to President Kabbah's request for international assistance.

* In doing so, we are giving due consideration to President Kabbah's preference that the GoSL play a strong role in whatever justice mechanism is decided upon. There are many advantages to having such a role for the Sierra Leonean government.

* Establishing a full-blown international tribunal, like those that exist for the former Yugoslavia and Rwanda, could be a very lengthy undertaking. That said, there may be ways that this special court could tap into the expertise that exists in those currently ongoing tribunals.

* Clearly, a number of details will have to be worked out for this special court, but the U.S. is committed to doing our part to help this process along.

Is this a shift in U.S. policy?

* No. All along we have called for peace, justice and accountability in Sierra Leone, and we have stated that we will support the GoSL in those efforts.

MEPP: ISRAELI-PALESTINIAN TRACK
June 21, 2000

CONTEXT: The Shas Party's four cabinet ministers and three deputy ministers submitted resignation letters today. They do not take effect for 48 hours,

providing additional time for negotiations between Shas and Prime Minister Barak. Shas officials have said the next two days could be used to salvage the coalition.

There are Israeli press reports that Barak and Arafat have agreed to a summit meeting at Camp David, starting July 6 and lasting ten days. Barak advisor Danny Yatom said Israel wants a "working summit" within a few weeks. Any response?

* The President has clearly stated that he is prepared to host a summit with Prime Minister Barak and Chairman Arafat once the necessary basis is achieved. The purpose of such a summit would be to reach a permanent status agreement.

But can you confirm the specific Israeli reports?

* No.

What is your view on Palestinian reports saying they do not want a summit unless it is "properly prepared"?

* The President has made it clear that he is prepared to host a summit when the appropriate basis exists.

Will the Shas Party decision to withdraw from Barak's coalition hinder the peace process?

* I'm not going to comment on internal Israeli politics.

* The Israeli government and the Israeli people have committed themselves to striving for peace through negotiations. We are confident that this will remain Israel's policy and we will do everything that we can to support the peace process.

LEBANON: UN VERIFICATION AND LEBANESE REJECTION
June 20, 2000

What is the status of the UN's verification of the Israeli withdrawal? Are the

Lebanese still rejecting the UN's withdrawal line?

* Israel has withdrawn from Lebanon, and the UN Secretary General has confirmed the withdrawal in accordance with UNSCR 425. On Sunday, the Security Council endorsed Secretary General Annan's report confirming the withdrawal.

* Kofi Annan is now in the region. He has made clear to all parties that the identification of a withdrawal line was the sole responsibility of the United Nations pursuant to Security Council Resolution 425 and that both sides must respect the line as identified.

* The Secretary General has also made clear that any claims of violations of the UN line should be reported to the United Nations and that UNIFIL will have the responsibility for investigating these claims.

Comment on Lebanese President Lahoud's statement that Israeli forces must cease their violations of the Lebanese border before UNIFIL can move in. Are the Israelis holding up the process?

* As I said, the UN has confirmed that Israel has withdrawn from Lebanon.

* We expect both sides to honor the withdrawal line as determined by the United Nations and endorsed by the Security Council.

* It is up to the United Nations and the United Nations Interim Force in Lebanon (UNIFIL) to determine if there are any violations of the UN line. UNIFIL must deploy to the south in order to carry out its responsibilities under UN Security Council Resolution 425.

* It is essential that all sides cooperate to facilitate investigation of claims of violations.

SYRIA
June 20, 2000

Comment on the appointment of Bashar al-Asad as head of the ruling Ba'ath Party.
What happens next?

- * Bashar Al-Asad's selection as General Secretary of the Ba'ath Party is an internal Syrian matter.

- * Preparations are underway to select a new Syrian President and we want to wait to see what the process and the Syrian people decide. The process seems to be proceeding in a peaceful and orderly way.

LEGAL CONFERENCE ON CYBER SECURITY June 19, 2000

BACKGROUND: On June 21 the Critical Infrastructure Assurance Office (CIAO), in cooperation with The Virginia Bar Association, The College of William and Mary, and the Justice Department's National Infrastructure Protection Center (NIPC) will host a legal conference to explore ways of enhancing Internet security and protecting US cyber systems.

The NSC helped to organize this event.

What is the purpose of this conference?

- * The conference is intended to encourage all parts of the Virginia legal community - law schools, leading practitioners, judges, and legislators - to systematically begin addressing the legal issues raised by growing threats to information systems security, and the need for increased cyber-security.

- * While there have been other legal discussions about cyber-security, this conference is the first intended to bring together all facets of the Virginia

legal community to address these issues.

Why is the conference focused on Virginia?

* This conference is intended to be a pilot for other state legal communities to follow. Representatives from the ABA and other state legal associations will be attending. Other states have expressed interest in organizing similar events.

How does this relate to the President's cyber-security meeting earlier this year?

With the President's leadership in this topic, the Federal Government has been working to build a close partnership with the private sector and to create a national agenda for protecting critical information systems. In January the President released Version 1.0 of The National Plan for Information Systems Protection. This conference is one facet of that larger agenda, as was the President's February meeting with executives of leading Internet firms.

NMD: CORE POINTS

June 19, 2000

Core Points:

- * Emerging threat. Prudent to explore appropriate response
- * Can and if possible should be done consistent with adapted ABM treaty. Treaty provides for adjustments
- * Working with Russians who acknowledge threat but disagree over response.
- * Decision later this year whether to move forward next spring
- * Four criteria (threat, cost, technology, overall security including arms control)
- * Prepared to share appropriate technology with Allies and Russia
- * Welch Report

- * Valuable contribution which provides independent assessment
- * Key findings
- * Important progress in the last year
- * The program is technically feasible to meet the Phase I requirement (up to a dozen or two warheads with simple decoys), but further attention is needed to the problem of discriminating decoys from real warheads for Phase II.
- * Meeting the schedule remains high risk, but Welch does not recommend changing the schedule at this point

- * Perry, Shali, etc/Boost phase:
 - * Open-minded about boost phase approach-but technically not available by 2005 when threat projected to emerge
 - * Could be valuable supplement to our architecture; prepared to discuss with Russians and others; our negotiations with Russians to permit our Phase 1 would not preclude further agreed amendments to accommodate this approach.

- * Reinterpretation of ABM Breach
 - * No decision yet on deployment
 - * Treaty does not define what constitutes breach/range of interpretations possible
 - * Only prudent that lawyers review possible interpretations
 - * Legal consideration/treaty interpretation one of many factors that President will take into account (feasibility, cost, threat, overall security including arms control)

- * Hill arguments in favor of postponing decision and deferring negotiations with Russians
 - * Have been pursuing NMD development program for a number of years
 - * President's responsibility is to do what he believes is necessary and appropriate for our security
 - * Will consult closely with Congress, but ultimately President must decide what

is appropriate

- * No decision yet

- * Korean Summit/undercuts need/urgency for NMD

- * Welcome summit - important and historic; hope it leads to real reduction of tensions on Korean Peninsula

- * Appreciate KDJ raising nuclear and missile issue, important to reducing regional tensions

- * Too early to say what changes summit will bring in terms of DPRK behavior; will watch closely

- * Missile testing moratorium also an important step; that's why we lifted some sanctions; but some aspects of program continue

- * Hope that missile talks will lead to real end to DPRK missile program (indigenous and exports)

- * Postol/Decoys

- * Pentagon reviewing allegations, but appears that at least some of the charges based on incomplete understanding of test program

- * Program accepts need to discriminate decoys (although this is more a factor for Phase II than Phase I)

- * Welch panel noted important progress and accepted basic approach, while cautioning that schedule should reflect actual technical progress, not artificial deadlines, and urged further attention to the problem of decoys.

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Exchange Mail

DATE-TIME 06/26/2000 6:57:48 PM

FROM Baker, James E. (LEGAL)

CLASSIFICATION UNCLASSIFIED

SUBJECT Holds and Russia Paris Club Debt Rescheduling [UNCLASSIFIED]

TO Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Cooper, Colby J. (ADMIN)
Crocker, Bathsheba N. (NSA)
Gire, Cynthia L. (EXSEC)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Kale, Dora A. (NSA)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
NSA Email
Rudman, Mara E. (NSA)
Scott-Perez, Marilyn L. (NSA)
Siberell, Justin H. (NSA)
Storey, Sharon V. (NSA)

CARBON_COPY Medish, Mark C. (RUE)
Lackey, Miles M. (LEGIS)
Weiss, Andrew S. (RUE)
Fishel, Eugene (Gene) M. (RUE)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Hurwitz, Marc I. (ADMIN)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY Please pass to Sandy, Jim, and Mara prior to their departure this evening. Thank you.

DELIBERATIVE

Questions

There are two immediate issues that some have cast as "legal."

1. Can Chairman Gilman or Helms put a "hold" on the rescheduling agreement.
2. Did the Secretary of State comply with the relevant statute, which requires that a detailed justification be provided to designated committees prior to entry into force of a debt relief agreement.

Background

Section 603 of the International Development and Food Assistance Act of 1978 requires in part that

The Secretary of State shall transmit to such committees a copy of the text of any agreement with any foreign government which would result in any such debt relief no less than thirty days prior to its entry into force, together with a detailed justification of the interest of the United States in the proposed debt relief.

Although the statutory reporting requirement by its terms applies only to "debt relief" the Department, we are advised, has always provided notification for debt rescheduling as well. Notice was provided on May 26.

The procedure of political accommodation known as a "hold" is derivative of Section 634A of the Foreign Assistance Act, which requires that a reprogramming notification be submitted to the appropriation and authorizing committees fifteen days prior to obligating funds in excess of the level justified for that program in the Congressional Presentation Document. While reprogramming holds are not binding as a matter of law, the executive generally attempts to accommodate such holds, and there is longstanding practice of doing so.

Chairmen

Helms and Gilman have objected by letter to the rescheduling agreement, although Sen. Helms' objection appears entirely cast in policy terms: "I will not agree to any debt rescheduling agreement with the Government of Russia until at a minimum, Russia terminates its assistance to the Milosevic regime in Serbia and has initiated a full cease fire in Chechnya and peace-negotiations with the democratically elected government led by President Alsan Maskhadov."

While echoing the same policy considerations as the Helms letter, Chairman Gilman also states in his letter "a justification of the interest of the United States in further debt leniency toward the Russian government is not 'detailed,' as required under U.S. law, when it ignores aspects of Russian policy -- such as [Chechnya and Serbia]." "... the lack of consultation with the Committee with regard to its concerns over the disposition of debt owed the United States ... is a matter of serious concern, and may require a review of means by which applicable laws might be revised to ensure adequate consultation in the future." We understand that Gilman's staff has referred to this letter as a "hold" on the rescheduling of debt.

Conclusions

* Reprogramming

"holds" are themselves products of political accommodation rather than legal dictate; under Chadha we would not recognize as constitutional a "hold" that purported to legally bind.

* Moreover, Section

603, requiring 30 days notification of debt relief makes no reference to the procedures "in accordance with regular reprogramming or regular notification procedures. Thus, even under the political accommodation that exists for reprogramming notifications, there would be no parallel need to recognize a "hold" in this context.

* To do so would

invite the use of "holds" regarding any matter that requires some degree of prior notification to the Congress.

* The Section 603

notification to the Hill is brief -- 3 pages with one operative paragraph. However, we understand from State (EB via L) that the justification mirrors in form and content previous justifications under Section 603, which have not been objected to on the basis of sufficiency. Moreover, it is comparable in detail to the justifications we have seen provided pursuant to other sections of the FAA. Therefore, the Executive may appropriately argue that the statutory standard for notification has been met. In a sense the Gilman letter implicitly recognizes this by suggesting that applicable laws may need to be revised in the future to ensure adequate consultation.

These

conclusions track L's own conclusions; however, L's final paper will likely not be ready until tomorrow and in any event will only address the topic of "holds."

Concurrence: Miles

Exchange Mail

DATE-TIME 06/28/2000 1:35:30 PM

FROM Hollis, Caryn C. (INTERAM)

CLASSIFICATION UNCLASSIFIED

SUBJECT Helms lifts some holds [UNCLASSIFIED]

TO Valenzuela, Arturo A. (INTERAM)
Tavlarides, Mark J. (LEGIS)

CARBON_COPY Hammer, Michael A. (PRESS)
Hollis, Caryn C. (INTERAM)
Merletti, Roger D. (INTERAM)
Snowden, Deniz (INTERAM)
Valenzuela, Arturo A. (INTERAM)
Wallace, Joanna B. (INTERAM)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)

TEXT_BODY All,
Just learned that Senator Helms has lifted following holds:
Agriculturally Sustainable Systems, Program for the Recovery of an
Economy in Transition and Education 2004. This is with the understanding
that no funds will be released to the Government of Haiti.

The
other holds remain in place along with the recent hold on a \$6 million
notification for the Haitian National Police.
Caryn

Exchange Mail

DATE-TIME 06/28/2000 7:53:39 PM
FROM Hollis, Caryn C. (INTERAM)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 06/28/2000
DECLASSIFYON 06/29/2010
SUBJECT Haiti Update [~~CONFIDENTIAL~~]
TO Valenzuela, Arturo A. (INTERAM)

DECLASSIFIED
E.O. 13526 5/16/2007
White House Guidelines, September 11, 2006
By 12 NARA, Date 2/7/2011
2006-1363-1 (3)

CARBON_COPY

TEXT_BODY

Arturo, for your reveiw and forwarding.

Please pass to Sandy.
cc: Mara, Jim

The Caricom fact finding mission in Haiti has tabled a face saving solution to the impasse over the Senate vote. It proposed to President Preval that an international commission of electoral and constitutional law experts go to Haiti to determine the appropriate formula for counting the Senate vote under Haiti's electoral law. So far, Preval is non-committal. They will meet with former President Aristide and brief him on the proposal tonight.

No movement is expected until Sunday's Caricom meeting. Haiti's request for Caricom membership is presently under consideration and is contingent upon Haiti being a democracy. The fact finding mission will recommend that Caricom advise Preval that Haiti's democratic credentials are under question and the acceptance of this commission and its recommendations will help resolve any questions.

Haiti
can back off its earlier announcement as the results and date for the run-off are still unofficial. This will require continued international pressure to convince the GOH that we are serious in our rejection of the flawed results.

In other good news today, Senator Helms lifted \$22.2 million in holds on the Agriculturally Sustainable Systems, Program for the Recovery of an Economy in Transition and Education

2004 with the understanding that no funds will be released to the Government of Haiti. \$12 million remains on hold, however, along with the recent hold on a \$6 million notification for the Haitian National Police.

Exchange Mail

DATE-TIME 06/30/2000 5:13:22 PM

FROM Brown, Katherine A. (PRESS/INTERN)

CLASSIFICATION UNCLASSIFIED

SUBJECT State Department Press Guidance -- June 30, 2000 [UNCLASSIFIED]

TO Anderson, Brooke D. (NSCCOMM)
Brown, Katherine A. (PRESS/INTERN)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Williams, Mary C. (ADMIN)
Wozniak, Natalie S. (PRESS)

CARBON_COPY Aragoncillo, Leandro A. (VP)
Babbitt, James F. (VP)
Beardsley, Tyler S. (VP)
Black, Steven K. (VP)
Bolan, Christopher J. (VP)
Davidson, Leslie K. (VP)
Dennett, Todd H. (VP)
Fuerth, Leon S. (VP)
Gobush, Matthew N. (VP)
Hinckley, Steedman (VP)
Orfini, Michael H. (VP)
Osius, Theodore G. (VP)
Roberts, Michael W. (VP)
Saunders, Richard M. (VP)
Woolston, Ann E. (VP)

Anderson, Brooke D. (NSCCOMM)
Crowley, Philip J. (PRESS)
Malinowski, Tomasz P. (SPCHW)
Matthews, Sonyia (SPCHW)
Sleder, Nicholas A. (NSCCOMM/INTERN)

TEXT_BODY

PJ - am printing for you. Briefing on its way.

TRANSLATED_ATTACHMENT

06-30-00 PRESS GUIDANCE PKG.doc
PRESS
GUIDANCES CONTENTS FRIDAY, JUNE 30, 2000

POSTINGS Press Notice Sec. Albright to christen ship in Maine
" Sec. Albright to speak at Monticello

AFRICA Ethiopia-Eritrea Expert-level talks in Washington
" Emb. Asmara lefts ordered departure
Sierra Leone Situation update
Uganda referendum on political parties

EAST ASIA China Missile cooperation with Libya
" Xinhua real estate update
" Reaction to Taiwan "1 China" statement
Koreas Family reunification agreement
No. Korea Trilateral consultations
Solomon Islands Ethnic conflict

EUROPE Germany Follow-up on Cooke case (6-29 TQ)
Russia Missile cooperation with No. Korea
" Rescheduling debt: Helms-Gilman view
" Chechnya update
" Generals' view of ballistic missile threat
Slovakia President Schuster's health

Turkey Meeting with Iraqi opposition
Ukraine Court OKs parliamentary reform

MIDDLE EAST Bahrain-Qatar US policy on border dispute
Iran Trial of 13 Jews ending
Iran-Egypt Re-establishing diplomatic ties
Iran-Lebanon 'Victims of terrorism' bill
Israel PHALCON & DefMin visit (TQ)
MEPP Summit/negotiations

SOUTH ASIA Sri Lanka Censorship ruling

WESTERN Chile Document declassification
HEMISPHERE Colombia Reaction to int'l meeting in DMZ
Peru OAS mission readout

MISCELLANEOUS Foreign Affairs Budget Supplemental requests
ICC Status of Negotiations

THERE WAS A DAILY PRESS BRIEFING TODAY

U.S. DEPARTMENT OF STATE
Office of the Spokesman

For Immediate Release June 30, 2000
2000/764

NOTICE TO THE PRESS

SECRETARY OF STATE MADELEINE K. ALBRIGHT
TO CHRISTEN THE USS McCAMPBELL
BATH IRON WORKS
BATH, MAINE

On Sunday, July 2, 2000, Secretary of State Madeleine K. Albright will take part in the christening ceremony of the USS McCampbell. The ceremony, which begins at 1:00 pm, will take place at the Bath Iron Works.

The USS McCampbell is named in honor of Captain David McCampbell, who was the Navy's top fighter ace in World War II and the recipient of the Medal of Honor. The USS McCampbell is the 20th Arleigh Burke Class Destroyer to be completed at the Bath Iron Works, and is one of the last two that will be launched in this manner.

This event is open for press coverage. Media should report to the Main Gate of the Bath Iron Works between 12:00pm and 12:45pm. Check-in will take place at the main gate.

Press contacts: Bath Iron Works, Director of Communications
Susan Pierter
(207) 442-1149

U.S. Department of State, Office of Press Relations
(202) 647-2492

U.S. DEPARTMENT OF STATE
Office of the Spokesman

For Immediate Release June 30, 2000
2000/765

NOTICE TO THE PRESS

SECRETARY OF STATE MADELEINE K. ALBRIGHT
TO ADDRESS PARTICIPANTS IN THE 38TH ANNUAL MONTICELLO INDEPENDENCE DAY
CELEBRATION AND NATURALIZATION CEREMONY
CHARLOTTESVILLE, VIRGINIA

On Tuesday, July 4, 2000, Secretary of State Madeleine K. Albright will address people from around the world as they take the oath of U.S. citizenship at Monticello's 38th Annual Independence day Celebration and Naturalization Ceremony. The ceremony, which begins at 11:00am, will take place on the West Lawn of Monticello.

This event is open for press coverage. Media wishing to cover the event should contact the Monticello Office of Public Affairs to obtain press credentials.

Press contacts: Monticello Office of Public Affairs
Whitney T. Espich
(804) 984-9822
(804) 962-0157

U.S. Department of State, Office of Press Relations
(202) 647-2492

AF Press Guidance
June 30, 2000

ETHIOPIA/ERITREA EXPERT-LEVEL TALKS IN WASHINGTON

* EXPERT-LEVEL DISCUSSIONS WILL BEGIN IN WASHINGTON MONDAY, JULY 3.

* TALKS WILL FOCUS ON TECHNICAL ISSUES AND PROCEDURES FOR FURTHER NEGOTIATIONS TO ACHIEVE A COMPREHENSIVE PEACE AGREEMENT.

Q. What can you tell us about expert-level talks with Ethiopian and Eritrean representatives planned for next week in Washington?

A: TALKS WILL BEGIN MONDAY, JULY 3, IN WASHINGTON, AND WILL BE MODERATED BY SENIOR MEMBERS OF THE DEPARTMENT'S OFFICE OF THE LEGAL ADVISER.

-- TALKS WILL SEEK TO FOCUS AND CLARIFY PROCEDURES ON COMPENSATION AND

BOUNDARY

ISSUES TO FACILITATE THE OAU'S EFFORTS AS IT WORKS FOR A COMPREHENSIVE PEACE AGREEMENT BETWEEN ETHIOPIA AND ERITREA.

-- AFRICA BUREAU ASSISTANT SECRETARY SUSAN RICE, FORMER NATIONAL SECURITY ADVISOR ANTHONY LAKE, NSC SENIOR DIRECTOR GAYLE SMITH, AND OTHER SENIOR OFFICIALS WILL BE FOLLOWING THE TALKS CLOSELY BUT DISCUSSIONS WILL BE AMONG TECHNICAL EXPERTS.

-- THESE TALKS ARE A STEP IN THE OAU'S PEACE PROCESS TO RESOLVE THE ETHIOPIA/ERITREA CONFLICT, AND THE OAU CHAIR WILL BE REPRESENTED IN THESE DISCUSSIONS BY TECHNICAL SPECIALISTS. TALKS ARE BEING HELD IN WASHINGTON TO FACILITATE RESOLUTION OF THE COMPLEX TECHNICAL ISSUES INVOLVED.

(IF ASKED)

-- TALKS ARE LIKELY TO BEGIN ON A PROXIMITY BASIS. (IN SEPARATE ROOMS)

Drafted: AF/E:JKnight 6-4679
J:\Press Guidance\Ethiopia-Eritrea 000630

Clear: AF:CSnyder
AF/E:JMillington
AF/E:SEiriz
P:EBarks-Ruggles
L:WKissinger
NSC:GSmith
AF:ALake

AF Press Guidance
June 30, 2000

ETHIOPIA/ERITREA

* LIFTING OF ORDERED DEPARTURE STATUS AT THE EMBASSY IN ASMARA, ERITREA
EFFECTIVE
JUNE 30.

Q. Why did the State Department terminate ordered departure status at its embassy
in Asmara?

A: THE FOREIGN MINISTERS OF ETHIOPIA (SEYOU MEFIN) AND OF ERITREA (HAILE
WOLDETENSAE) SIGNED AN AGREEMENT ON CESSATION OF HOSTILITIES ON SUNDAY,
JUNE 18,
IN ALGIERS. THE CESSATION AGREEMENT INCLUDES AN END TO HOSTILITIES,
PROVISIONS
FOR ETHIOPIAN WITHDRAWAL, AND THE CREATION OF A PEACEKEEPING MISSION. BOTH
PARTIES HAVE RESPECTED THE CESSATION OF HOSTILITIES AGREEMENT AND THERE HAS
BEEN
NO SIGNIFICANT FIGHTING SINCE JUNE 18.

Background: Ethiopia and Eritrea signed a ceasefire agreement on June 18 in
Algiers. The agreement calls for deployment of a UN peacekeeping force under the
auspices of the Organization of African Unity (OAU). Resumed negotiations will
seek to reach agreement on full implementation of the OAU peace package.

Both Embassies Addis Ababa and Asmara are closely following security issues and
military developments. Embassy Addis Ababa has been operating normally, but
Embassy Asmara was placed on Ordered Departure status on May 19 owing to the
proximity of heavy fighting and potential deterioration of conditions in Asmara.
On June 28, Embassy Asmara recommended to the Department that ordered departure
status be terminated. Our embassies will assure that Americans are fully
informed of evolving circumstances and new security considerations that may
follow.

Drafted: AF/E:SEiriz 6-4644

Clear: AF/E:JKnight

AF PRESS GUIDANCE

June 30, 2000
SIERRA LEONE

SUMMARY POINTS

- * Freetown quiet.
- * Foday Sankoh in custody of Sierra Leone authorities at undisclosed location.
- * UN forces number 12,435 as of June 19, out of authorized total of 13,000.
- * Two companies of UN Indian troops (223) and 11 military observers for a total of 235 remain surrounded by rebel forces in Kailahun in the southeast. 9 peacekeepers confirmed killed in May, with an additional 4 presumed dead.
- * Twenty-one Indian hostages were released late June 28 and arrived in Monrovia, Liberia at 5:30 PM local June 29.

Q: Situation Update?

A:

- * TWENTY-ONE UN INDIAN PEACEKEEPERS WHO HAD BEEN DETAINED BY REBELS IN EASTERN SIERRA LEONE WERE RELEASED WITH THEIR WEAPONS JUNE 28 AND BROUGHT TO MONROVIA JUNE 29 ON A UN CHARTERED HELICOPTER. THE UN REPORTS THAT THEY ARE IN GOOD HEALTH.
- * THE UNITED STATES APPRECIATES THE EFFORTS OF LIBERIAN PRESIDENT CHARLES TAYLOR TO SECURE THE RELEASE OF THE HOSTAGES.
- * WE CONTINUE TO CALL ON THE REBELS TO ALLOW FREEDOM OF MOVEMENT TO ALL UN PEACEKEEPERS, INCLUDING THE 234 INDIAN PEACEKEEPERS AND UN MILITARY OBSERVERS SURROUNDED IN KAILAHUN.

Q: What is the U.S. view of Charles Taylor's role in Sierra Leone?

A: THERE IS NO QUESTION BUT THAT PRESIDENT TAYLOR HAS GOOD CONTACTS WITH

AND
INFLUENCE OVER THE REBEL FORCES IN SIERRA LEONE. WE HAVE URGED HIM TO USE
THAT
INFLUENCE TO SECURE THE RELEASE OF THE UN HOSTAGES AS HE WAS MANDATED TO
DO BY
THE WEST AFRICAN HEADS OF STATE. WE APPRECIATE HIS MOST RECENT EFFORTS TO
SECURE
THE RELEASE OF THE 21 INDIANS. HOWEVER, WE ARE ALSO CONCERNED BY AND
CONTINUE TO
INVESTIGATE REPORTS OF VIOLATIONS BY LIBERIA OF THE UN ARMS EMBARGO AND
ILLEGAL
TRAFFICKING IN DIAMONDS. THE U.S. HOPES THAT PRESIDENT TAYLOR WILL NOW USE
HIS
INFLUENCE WITH THE REBELS TO RESTORE PEACE AND STABILITY TO SIERRA LEONE.

Q: Does the U.S. now believe that Foday Sankoh can/should play a role in Sierra Leone?

A: NO. THE LOME PEACE AGREEMENT OFFERED FODAY SANKOH A WINDOW OF
OPPORTUNITY TO
PARTICIPATE POLITICALLY IN THE RECONSTRUCTION AND REHABILITATION OF HIS
COUNTRY
AND HELP BRING PEACE TO ALL THE PEOPLE OF SIERRA LEONE. HE HAS WASTED THAT
OPPORTUNITY. WE DO NOT SEE A ROLE FOR HIM IN SIERRA LEONE'S FUTURE.
AS U.S. AMBASSADOR TO THE UNITED NATIONS RICHARD HOLBROOKE WROTE IN A MAY
30
LETTER TO SENATOR JUDD GREGG, "THE UNITED STATES DOES NOT BELIEVE THAT
FODAY
SANKOH SHOULD PLAY ANY ROLE WHATSOEVER IN THE FUTURE POLITICAL PROCESS IN
SIERRA
LEONE, AND WE WILL CONTINUE TO PRESS THIS POINT. HE MUST BE HELD
ACCOUNTABLE FOR
HIS ACTIONS."

Q: Do you agree that Foday Sankoh should be removed from Sierra Leone?

A: DECISIONS REGARDING THE LOCATION, MOVEMENTS AND JURIDICAL DISPOSITION OF FODAY SANKOH WILL BE MADE BY THE GOVERNMENT OF SIERRA LEONE, IN CONSULTATION WITH THE REGION. WHEREVER SANKOH IS HELD, THE U.S. INTEREST IS IN SEEING THAT THE PEOPLE OF SIERRA LEONE CAN HAVE CONFIDENCE THAT PEACE IS ACHIEVABLE AND JUSTICE WILL BE DONE.

Q: Why is the UN Security Council considering a proposal from Sierra Leone to prosecute rebel leaders?

A: PRESIDENT KABBAH SENT A LETTER TO U.N. SECRETARY GENERAL KOFI ANNAN DATED JUNE 12 REQUESTING ASSISTANCE IN SETTING UP A SPECIAL COURT FOR SIERRA LEONE. -- THE IDEA PRESIDENT KABBAH PUT FORWARD IS TO ESTABLISH A SPECIAL COURT THAT WOULD BLEND INTERNATIONAL AND SIERRA LEONEAN LAW AND WOULD ALLOW THE INTERNATIONAL COMMUNITY, THE REGION, AND THE GOVERNMENT OF SIERRA LEONE TO WORK TOGETHER TO BRING THE PRINCIPAL PERPETRATORS OF ATROCITIES IN SIERRA LEONE TO JUSTICE.

-- ACCORDING TO PRESIDENT KABBAH, SIERRA LEONEAN LAW DOES NOT PROVIDE FOR PROSECUTIONS OF CRIMES AGAINST HUMANITY OR CRIMES AGAINST U.N. PEACEKEEPERS; SOME KIND OF "UMBRELLA" OF INTERNATIONAL LEGAL AUTHORITY WOULD ADDRESS THIS DEFICIENCY.

Q: What is the U.S. position on this?

A. IN CONSULTATION WITH THE GOVERNMENT OF SIERRA LEONE, THE U.N., AND OTHER INTERESTED PARTIES, THE UNITED STATES IS DRAFTING A RESOLUTION IN RESPONSE TO PRESIDENT KABBAH'S REQUEST FOR THE UN SECURITY COUNCIL'S CONSIDERATION.

Q: Is the UN Security Council going to impose an arms and diamond embargo on Sierra Leone?

A: WE SHARE WITH THE UK AND OTHERS A BELIEF THAT THE ARMS-FOR- ILLEGAL- DIAMONDS TRADE IS FUELING VIOLENCE AND INSTABILITY IN THE REGION. THE UK HAS CIRCULATED A RESOLUTION FOR SECURITY COUNCIL CONSIDERATION THAT WILL ADDRESS THIS CONCERN. WE ARE WORKING WITH THE BRITISH ON THE RESOLUTION. (WE HAVE NO OTHER DETAILS TO PROVIDE AT THIS TIME.)

Drafted by: AF/W:SMcIlvaine/AF/RA:LSegevary
6-30-00 J Library PG Folder, SL Folder, Sierra Leone pg 00-06-30

Cleared by: AF:WSchneidman
AF/W:SWilkinson OK
P:EBarks-Ruggles OK
IO:JBuelow OK
S/WCI:DShea OK
S/WCI:PProsper ok
L/AF:GTaft OK
DRL:REhrenreich OK

AF PRESS GUIDANCE
June 30, 2000

UGANDA: REFERENDUM ON POLITICAL PARTIES

Q: Do you have an update on the results of Uganda's referendum on political parties?

A: THE REFERENDUM RESULTS HAVE NOT BEEN OFFICIALLY ANNOUNCED, BUT ARE EXPECTED LATER TODAY OR TOMORROW. REPORTS FROM OBSERVERS WHO WITNESSED THE VOTE

INDICATE
THAT THE RULING "MOVEMENT" SYSTEM WON BY A SIGNIFICANT MARGIN. VOTER
TURNOUT,
HOWEVER, WAS LOW. WE DO NOT HAVE PRECISE FIGURES YET, BUT OBSERVERS PUT THE

TURNOUT AT TWENTY TO FORTY PERCENT THROUGHOUT MOST OF THE COUNTRY, WITH
SLIGHTLY
HIGHER PARTICIPATION IN THE CAPITAL, KAMPALA.

Q: How would you characterize the vote?

A: THE VOTING APPEARS TO HAVE BEEN PROCEDURALLY CORRECT, WITH NO REPORTS
OF
VIOLENCE OR INTIMIDATION. THE CAMPAIGN, HOWEVER, DID NOT TAKE PLACE ON A
LEVEL
PLAYING FIELD. SUPPORTERS OF THE "MOVEMENT" HAD MUCH GREATER ACCESS TO
RESOURCES
THAN THE PRO-MULTIPARTY GROUP. ALSO, UGANDAN LAW PROHIBITED OPPONENTS OF
THE
"MOVEMENT" FROM ORGANIZING FREELY TO CAMPAIGN AGAINST THE CURRENT
SYSTEM. WE
CALL ON UGANDA TO LIFT THESE AND OTHER RESTRICTIONS ON PEACEFUL POLITICAL
ACTIVITY PRIOR TO THE 2001 PRESIDENTIAL AND PARLIAMENTARY ELECTIONS.

Q: What is the 'no-party' Movement system?

A: "MOVEMENT" IDEOLOGY HOLDS THAT POLITICAL PARTIES ARE TO BLAME FOR THE
CHAOS
AND ETHNIC STRIFE DURING THE POST-INDEPENDENCE PERIOD IN UGANDA AND THAT A
SYSTEM
WITHOUT ETHNICALLY-BASED PARTIES IS MORE STABLE. OPPONENTS OF THE REGIME
DISPUTE
THE ASSERTION THAT THEY ARE ETHNICALLY-BASED AND CALLED FOR VOTERS TO
BOYCOTT THE
REFERENDUM.

Q: Did the U.S. fund the referendum?

A: NO. THE U.S. FUNDED SEVERAL UGANDAN NGO GROUPS THAT MONITORED THE REFERENDUM CAMPAIGN. THEIR REPORTS WERE AN IMPORTANT FACTOR IN OUR CONCLUSION THAT THE REFERENDUM CAMPAIGN DID NOT TAKE PLACE ON A LEVEL PLAYING FIELD.

Context: After a year-long campaign, Uganda held a referendum today on whether to lift restrictions on political parties or continue the current no-party "Movement" system. Opposition groups have boycotted the referendum, calling it an illegal vote on inherent rights to organize freely. Although, Uganda has a relatively open political climate, including a media frequently critical of the government and opposition figures elected to Parliament, there are significant restrictions on the rights of political parties. Their ability to meet and organize is constrained and political candidates are barred from running for office under a party banner. Movement ideology blames political parties for the ethnic conflict that devastated Uganda in the post-independence period.

The U.S. provided approximately \$650,000 to help Ugandan NGO groups to monitor the referendum campaign. The U.S. joined other major donors to coordinate positions on the referendum. The donor group plans to release a statement after the vote count is complete.

Drafted: AF/E:RZuniga
X7-6453

Cleared:
AF/E:JMillington
DRL/BA:DDearborn
P:EBarks-Ruggles
AF:CSnyder

EAP PRESS GUIDANCE
June 30, 2000

TAIWAN - PRC DISMISSAL OF CHEN "ONE-CHINA" ANNOUNCEMENT

Q: Any reaction to the PRC dismissal of Chen Shui-bian's "one-China" remarks as lacking sincerity?

A: -- THE UNITED STATES STRONGLY SUPPORTS RESUMPTION OF CROSS-STRAIT DIALOGUE AND IS COMMITTED TO PROMOTING PEACE, STABILITY AND PROSPERITY IN THE REGION.

IT IS UP TO BEIJING AND TAIPEI TO DETERMINE THE BASIS FOR DIALOGUE AND THE MODALITIES FOR DIALOGUE.

-- OUR ABIDING INTEREST IS PEACEFUL RESOLUTION OF DIFFERENCES BETWEEN THE TWO SIDES.

-- TO THAT END, WE WELCOME STEPS THAT FOSTER DIALOGUE, REDUCE TENSIONS, EMPHASIZE PEACEFUL RESOLUTION, AND PROMOTE MUTUAL UNDERSTANDING.

-- WE ALSO URGE BOTH SIDES TO REFRAIN FROM ACTIONS OR STATEMENTS THAT INCREASE TENSIONS OR MAKE DIALOGUE MORE DIFFICULT TO ACHIEVE.

Q. Were Chen's comments sufficient to begin across-Straits dialogue?

A. -- IT IS UP TO BEIJING AND TAIPEI TO DETERMINE WHAT IS SUFFICIENT.

CONTEXT: In a June 28 meeting with Asia Foundation President Bill Fuller, Taiwan president Chen Shui-bian said he would be willing to embrace a "one-China" policy. Chen said he would accept a formulation suggested in 1992 that China and Taiwan could agree to the "one China" principle, but each with its own definition of what "one China" meant.

China MFA spokesman Zhu Bangzao said June 29 the "so-called one China principle" put forward by the Taiwan side did not conform to "actual conditions" and was "aimed at splittist activity under the pretense of a different interpretation." Zhu reiterated the PRC position that no formal discussions can begin until Taipei unambiguously endorses the PRC's long-standing claim that "one China" means there is but one China, of which Taiwan is a part.

Back in Taiwan, Chen has received some criticism, including from within his own Democratic Progressive Party, for the seeming change in policy. In a June 30 statement, Chen said he had not changed his position and denied Taiwan and PRC had reached a consensus in 1992 on the meaning of "one China."

Drafted by: EAP/RSP/TC:AKYu, June 30, 2000, 7-7711

Doc: P:\P\TC Press Guidances\PRConechina000630

Cleared by:

EAP:RBoyce

EAP:DJohnson

EAP/RSP/TC:DKeegan cleared

EAP/P:DLargent

EAP/CM:DSedney cleared

P:DShields

NSC/Asia:JKeith Q&A cleared

EAP Press Guidance

June 30, 2000

U.S., SOUTH KOREA, JAPAN TRILATERAL CONSULTATIONS

Q. Do you have any readout on the trilateral consultations being held in Honolulu? Did they begin yesterday as scheduled?

A. THE TRILATERAL CONSULTATIONS BETWEEN THE U.S., JAPAN AND SOUTH KOREA BEGAN YESTERDAY AS SCHEDULED. THE TALKS ARE SCHEDULED TO CONCLUDE LATER TODAY.

-- STATE DEPARTMENT COUNSELOR, AMBASSADOR WENDY SHERMAN, IS LEADING THE U.S. DELEGATION.

-- THE REPUBLIC OF KOREA SIDE IS LED BY DEPUTY FOREIGN MINISTER JANG JAI-RYONG, AND THE JAPANESE DELEGATION BY DEPUTY VICE MINISTER YUKIO TAKEUCHI.

Q. What is on the agenda?

A. WE ARE DISCUSSING A RANGE OF NORTH KOREA-RELATED ISSUES, INCLUDING THE RECENTLY CONCLUDED NORTH-SOUTH SUMMIT MEETING AND OUR RESPECTIVE BILATERAL EXCHANGES WITH THE NORTH.

-- CLOSE CONSULTATION HAS BEEN KEY TO EFFECTIVE NORTH KOREA POLICY COORDINATION.

-- IN THE WAKE OF THE INTER-KOREAN SUMMIT AND THE NORTH'S OTHER RECENT DIPLOMATIC INITIATIVES, THERE IS MUCH TO DISCUSS.

IF ASKED:

-- AS YOU KNOW, THE PERRY PROCESS INSTITUTED A HIGH-LEVEL TRILATERAL POLICY COORDINATING MECHANISM WITH OUR SOUTH KOREAN AND JAPANESE ALLIES, INCLUDING THROUGH THE TRILATERAL COORDINATION AND OVERSIGHT GROUP (TCOG).

-- WE HAD OUR MOST RECENT TCOG MEETING IN TOKYO MAY 12. THE TRILATERAL MECHANISM HAS ENABLED THE THREE GOVERNMENTS TO WORK CLOSELY TO COORDINATE THEIR RESPECTIVE APPROACHES TOWARD NORTH KOREA. THIS IS THE TWELFTH TRILATERAL MEETING -- INCLUDING A TRILATERAL SUMMIT AND A TRILATERAL MINISTERIAL -- SINCE THE PROCESS WAS INITIATED IN APRIL 1999.

-- TRILATERAL COORDINATION AND OVERSIGHT GROUP (TCOG) MEETINGS ARE PART OF OUR
REGULAR AND ONGOING CONSULTATIONS WITH SOUTH KOREA AND JAPAN
CONCERNING OUR
RESPECTIVE POLICIES TOWARD NORTH KOREA.

Context: Trilateral consultation talks began yesterday as scheduled in Honolulu.
There may be a statement issued at the conclusion of the talks later today.
p/p/kpress guidances/063000trilat.doc

Drafted: EAP/P:DLargent
Cleared: EAP:SBoyce, acting
EAP:RWhite, acting
EAP/K:BTurner, acting
EAP

EAP PRESS GUIDANCE
June 30, 2000

KOREAN PENINSULA - FAMILY REUNIFICATION AGREEMENT

Q: What is your reaction to the Inter-Korean agreement on family reunification?

A: -- WE HAVE SEEN THE PRESS REPORTS THAT AN AGREEMENT WAS REACHED ON AN
INITIAL
EXCHANGE OF FAMILIES. WE WOULD WELCOME SUCH AN AGREEMENT AND LOOK
FORWARD TO

LEARNING MORE OF THE DETAILS.

-- WE OF COURSE ARE PLEASED TO SEE ANY PROGRESS IN THE IMPLEMENTATION OF THE JOINT DECLARATION SIGNED AT THE INTER-KOREAN SUMMIT.

-- IN WELCOMING THE RESULTS AND PROMISE OF THE JUNE 13-15 INTER-KOREAN SUMMIT, WE NOTED THAT FURTHER REDUCTION OF TENSIONS ON THE KOREAN PENINSULA DEPEND ON THE IMPLEMENTATION OF THE FAR-REACHING AGREEMENTS REACHED.

(IF ASKED)

Q: Do you feel that 100 family members is a meaningful number for this sort of exchange?

A: -- GIVEN THE STATE OF RELATIONS BETWEEN THE TWO KOREAS, WE WOULD CONSIDER THIS TO BE A SIGNIFICANT ACHIEVEMENT. PRESIDENT KIM DAE-JUNG DESERVES CREDIT FOR HIS ENGAGEMENT POLICY, WHICH HELPED TO SET THE STAGE FOR THIS AGREEMENT.

Context: Reuters reported that Red Cross officials from the two Koreas signed a deal on Friday to allow reunions of families separated since the 1950s as well as the return of former North Korean prisoners. Beginning on August 15, a delegation of 100 people will travel from the ROK to the DPRK, and vice versa, for four-day visits. Such exchanges were called for by the Joint Declaration signed during the June 13-15 Inter-Korean Summit. The only prior family reunification visits took place in 1985, when 50 people from each side were allowed to meet with relatives.

p/p/korea press guidance/famagreement

Drafted: EAP/K: DGreenberg

Cleared: EAP: DJohnson, Acting(ok)

EAP/K:BTurner (ok)
EAP/P:DLargent (ok)
C:SSnyder (info)
P:DSields (ok)
S/P:MPalmer (info)
NSC:KLieberthal (ok)
JCS:RMartin (info)
OSD:JKessinger (info)

EAP PRESS GUIDANCE
June 30, 2000

SOLOMON ISLANDS - ETHNIC CONFLICT

Q: Can you provide an update on the current situation?

A: THE PARLIAMENT OF THE SOLOMON ISLANDS HAS ELECTED A NEW PRIME MINISTER, FORMER OPPOSITION LEADER MANNASSEH SOGAVARE.

-- SOGAVARE HAS ANNOUNCED THAT HE INTENDS TO FORM A RECONCILIATION GOVERNMENT THAT WILL WORK FOR A RESTORATION OF LAW AND ORDER AND A LASTING PEACE.

IF ASKED:

-- SOGAVARE WAS ELECTED 23-21 OVER FORMER UNITED CHURCH BISHOP, REVEREND LESLIE BOSETO. ALL BUT SIX MEMBERS OF PARLIAMENT TOOK PART IN THE VOTING.

Q: What do we know about Mannasseh Sogavare?

A: MANNASSEH SOGAVARE WAS THE HEAD OF THE OPPOSITION IN THE PARLIAMENT OF THE

SOLOMON ISLANDS.

-- SOGAVARE HAS PLEDGED TO APPOINT A CABINET WITHIN 24 HOURS AND HE HOPES TO HAVE THE INTERNAL CONFLICT IN THE SOLOMONS DEFUSED WITHIN SIX MONTHS. HE HAS ALSO PLEDGED TO OFFER AN AMNESTY TO BOTH THE MALAITA EAGLE FORCE AND THE ISATAMBU FREEDOM MOVEMENT ONCE THEY SURRENDER THEIR ARMS.

Q: How has either of the opposing militias, or the former government, reacted to this election?

A: THERE HAS BEEN NO IMMEDIATE REACTION TO THE ELECTION FROM EITHER THE MALAITA EAGLE FORCE OR THE ISATAMBU FREEDOM MOVEMENT.

-- THERE HAS BEEN NO IMMEDIATE REACTION TO THE ELECTION FROM THE FORMER GOVERNMENT.

Q: What is the U.S. position on this election?

A: THE U.S. ENDORSES SOGAVARE'S CALL FOR LASTING PEACE AND AS A FIRST STEP URGES ALL PARTIES TO THE CONFLICT TO LAY DOWN THEIR ARMS AND ENGAGE IN A DIALOGUE WITH THE NEW GOVERNMENT AIMED AT RESTORING CIVIL ORDER.

CONTEXT: THE U.S. EMBASSY IN PORT MORESBY, PAPUA NEW GUINEA, ALSO HAS RESPONSIBILITY FOR HANDLING OUR DIPLOMATIC RELATIONS WITH THE SOLOMON ISLANDS.

ETHNIC CONFLICT HAS BEEN ONGOING FOR ABOUT EIGHTEEN MONTHS IN AND AROUND THE SOLOMON ISLANDS' CAPITAL, HONIARA, ON THE ISLAND OF GUADALCANAL. ARMED MILITANTS NATIVE TO GUADALCANAL (THE ISATAMBU FREEDOM MOVEMENT) CLASHED WITH SETTLERS FROM NEIGHBORING MALAITA ISLAND (ABOUT SIXTY MILES AWAY) FORCING UPWARDS OF 25,000 MALAITANS FROM THEIR HOMES. MOST HAVE RETURNED TO THEIR HOME ISLAND. PEACE EFFORTS HAVE FLOUNDERED IN THE FACE OF ENTRENCHED ANTAGONISMS BETWEEN THE PEOPLE OF GUADALCANAL AND MALAITA, THE EMERGENCE OF ORGANIZED MALAITAN MILITANTS IN HONIARA (THE MALAITA EAGLE FORCE), FRACTIONALIZATION OF THE POLICE, THE THEFT OF HIGH-POWERED POLICE WEAPONS AND THE INABILITY OF THE SOLOMON ISLANDS GOVERNMENT TO DEAL WITH CLAIMS FOR COMPENSATION BY THE DISPLACED MALAITANS. AFTER THE RESIGNATION OF FORMER PRIME MINISTER BARTHOLOMEW ULUFA'ALU ON JUNE 14, NEW PRIME MINISTERIAL ELECTIONS WERE SET FOR JUNE 28. THIS ELECTION DID NOT TAKE PLACE, HOWEVER, BECAUSE A QUORUM (26 OUT OF 50) OF PARLIAMENTARIANS WAS NOT PRESENT TO VOTE, AMID FEARS FOR THEIR SECURITY. IN THE INTEREST OF PROCEEDING WITH PEACE TALKS, THE MEF STATED IT WOULD NOT INTERFERE WITH THE ELECTION OF A NEW PRIME MINISTER. THIS PLEDGE HELD, AND A MAJORITY (44 OUT OF 50) OF PARLIAMENTARIANS MET ON JUNE 30 TO ELECT A NEW PRIME MINISTER.

EAP/ANP:DWALD

CLEARANCES

EAP:SOROTH
EAP:RBOYCE
EAP/ANP:EMSKODON
EAP/P:DLARGENT
CA/OCS:KDURKIN
P:DSHIELDS

NP PRESS GUIDANCE
June 30, 2000

CHINA-LIBYA MISSILE COOPERATION

Q: Any comments on reports that China is providing sensitive items to Libya's missile program? What about reports that the Director of Libya's missile program is planning to travel to China?

A:-- WE DO NOT COMMENT ON ALLEGED INTELLIGENCE MATTERS.

-- WE TAKE ALL SUCH REPORTS SERIOUSLY AND INVESTIGATE THEM THOROUGHLY.

-- WE HAVE RAISED OUR NONPROLIFERATION CONCERNS WITH CHINA IN THE PAST, INCLUDING REGARDING COOPERATION WITH LIBYA, AND WILL CONTINUE TO DO SO.

Q: Is this cooperation sanctionable under U.S. law?

-- WE FULLY AND FAITHFULLY IMPLEMENT THE REQUIREMENTS OF U.S. LAW AND WOULD TAKE ANY ACTIONS REQUIRED BY THOSE LAWS WERE WE TO DETERMINE THAT ENTITIES HAD ENGAGED

IN SANCTIONABLE ACTIVITIES.

-2-

-- HOWEVER, THE ISSUE OF SANCTIONABILITY WOULD DEPEND ENTIRELY ON THE SPECIFIC NATURE OF ANY TRANSFER.

-- SUCH INFORMATION WOULD BE BASED ON INTELLIGENCE, AND WE DO NOT COMMENT ON INTELLIGENCE MATTERS.

Q: What can you tell us about Libya's ballistic missile program?

A:-- IT IS WELL KNOWN THAT LIBYA POSSESSES 300-KM RANGE SCUD MISSILES AND IS ACTIVELY PURSUING ACQUISITION AND DEVELOPMENT OF EVEN LONGER RANGE SYSTEMS.

-- IT WOULD BE INAPPROPRIATE FOR ME TO COMMENT FURTHER ABOUT WHAT WE KNOW ABOUT THE DETAILS OF LIBYA'S MISSILE DEVELOPMENT ACTIVITIES.

-- AS WE HAVE SAID BEFORE, HOWEVER, THE UNITED STATES VIEWS LIBYA'S EFFORTS TO FURTHER DEVELOP ITS BALLISTIC MISSILE CAPABILITIES AS A SERIOUS THREAT TO THAT REGION AND TO OUR NONPROLIFERATION INTERESTS. WE HAVE ENGAGED FOR MANY YEARS IN EXTENSIVE EFFORTS TO IMPEDE THE PROLIFERATION OF MISSILE EQUIPMENT AND TECHNOLOGY TO LIBYA.

-3-

-- WE CONTINUE TO PLACE A HIGH PRIORITY ON THIS IMPORTANT MISSILE NONPROLIFERATION ISSUE AND TO WORK CLOSELY WITH OTHER LIKE-MINDED COUNTRIES.

-- WE HAVE RAISED WITH CHINA OUR CONCERNS ABOUT ANY POSSIBLE COOPERATION WITH THE LIBYAN MISSILE PROGRAM AND WILL CONTINUE TO DO SO.

(If asked about China's MTCR Commitments.)

Q: What about China's MTCR commitments?

-- IN OCTOBER 1994, CHINA PLEDGED NOT TO EXPORT MTCR-CLASS GROUND-TO-GROUND MISSILES.

-- WE HAVE NO REASON TO CONCLUDE THAT THE GOVERNMENT OF CHINA HAS ACTED IN A MANNER INCONSISTENT WITH THIS 1994 COMMITMENT.

-- IN 1998, CHINA ANNOUNCED THAT IT WOULD ACTIVELY STUDY MEMBERSHIP IN THE MTCR.

-- AS WE HAVE DISCUSSED MANY TIMES BEFORE, HOWEVER, THE UNITED STATES HAS LONG-STANDING CONCERNS ABOUT CHINESE ENTITIES' EXPORTS OF COMPONENTS AND TECHNOLOGY TO MISSILE PROGRAMS OF CONCERN.

-4-

-- WE HAVE REPEATEDLY MADE THESE CONCERNS CLEAR TO THE CHINESE LEADERSHIP, AND WE WILL CONTINUE TO DO SO.

-- ENGAGING CHINA ON NONPROLIFERATION HAS BEEN A TOP PRIORITY OF THIS ADMINISTRATION. OVER TIME, THESE EFFORTS HAVE LED CHINA TO EXPAND ITS INTERNATIONAL NONPROLIFERATION COMMITMENTS AND TIGHTEN UP THEIR

ENFORCEMENT. IN PARTICULAR, CHINA HAS MADE MAJOR PROGRESS IN THE IMPOSITION AND ENFORCEMENT OF CONTROLS ON NUCLEAR-RELATED TECHNOLOGIES.

-- WE WILL CONTINUE TO WORK WITH CHINA TO BRING ITS POLICIES AND PRACTICES BETTER IN LINE WITH INTERNATIONAL NORMS.

CONTEXT: An article in today's Washington Times (building on a story from January) reports that the Director of Libya's missile program plans to travel soon to a Chinese training facility, where China allegedly is training Libyan missile specialists. It also reiterates allegations that China is supplying a wind tunnel and other missile-related technology and expertise to Libya's Al-Fatah indigenous missile development program.

We cannot comment on the details of alleged intelligence information concerning China-Libya missile cooperation. However, we should stress that we investigate any such reports thoroughly and note that we have repeatedly raised our nonproliferation concerns with China at the highest levels. We also cannot comment on the details of Libya's missile development activities, as any such information would be based on intelligence information.

DRAFTED: NP/CBM:PROE
X7-4931 06/30/00 ROEPK/PRESSGUIDANCE/CHINA-LIBYA.DOC

(based on previous guidance)

CLEARED: NP:J Barker - ok
T:TGodby - ok
EAP/CM:CHegadorn - ok
EAP/PA:K Bailes (info)
NP/CPA:CKessler - ok
P:AEreli -ok
NEA/ENA:DScott - ok
INR/SPM:Avincent -ok

NEA Press Guidance
Friday, June 30, 2000

MEPP: SUMMIT/NEGOTIATIONS

Q: What came out of the President's meeting with Secretary Albright yesterday?
Any decisions to announce on a summit, or resume negotiations?

-- SECRETARY ALBRIGHT AND SPECIAL MIDDLE EAST COORDINATOR DENNIS ROSS MET
WITH
PRESIDENT CLINTON YESTERDAY TO REVIEW THE RESULTS OF THEIR RECENT
DISCUSSIONS
WITH ISRAELI AND PALESTINIAN LEADERS.

-- THE PRESIDENT RECEIVED A FULL REPORT FROM THE SECRETARY, AND WILL NOW CONSIDER THE SITUATION.

Q: The Secretary has said there is plenty of time to do what needs to be done, and that "our calculus" for action "is January 20"? Does this mean you have abandoned the September 13 deadline for agreement?

--AS THE PRESIDENT STATED YESTERDAY, HE IS GOING TO DO WHATEVER HE CAN IN THE TIME LEFT TO HELP THE PARTIES MAKE PEACE.

-- WE' VE LONG SAID THAT SEPTEMBER 13 IS AN IMPORTANT DATE.

--AS THE PRESIDENT HAS NOTED, THE ISSUES ARE NOT GOING TO GET ANY EASIER.
-- THE PARTIES MUST MAKE THE NECESSARY DECISIONS TO ACHIEVE PEACE. THIS ADMINISTRATION IS PREPARED TO DO WHATEVER IT CAN TO SUPPORT THEIR EFFORTS, AS DESIRED BY THE PARTIES, BUT WE CAN'T MAKE THE DECISIONS FOR THEM.

Document: Press/DS063000
Drafted: DSreebny
Cleared: SMEC: AMiller
NEA/IPA: JMcVerry

NEA Press Guidance
Friday, June 30, 2000

MEPP/PALESTINIAN STATEHOOD

Q: What is USG position on statements by Arafat and other Palestinian officials, stating their intention to declare a Palestinian state in the coming weeks? Do you expect them to declare statehood on September 13? Comment on Israeli press report that US might recognize unilateral declaration of

independence by Palestinians.

-- WE HAVE SEEN THESE REPORTS.

-- BOTH PARTIES KNOW WE OPPOSE UNILATERAL ACTIONS BY EITHER SIDE, INCLUDING A

UNILATERAL DECLARATION OF STATEHOOD.

-- OSLO WAS BASED ON A PRINCIPLE OF MUTUALITY. IT IS IMPORTANT THAT BOTH PARTIES ADHERE TO THIS PRINCIPLE.

[Context: Yediot reported today that, "in a shift in the American traditional line," the U.S. might recognize a unilaterally declared Palestinian state under certain circumstances.]

Document: Press\ds063000

Drafted: NEA/P: DSreebny

Cleared: SMEC: AMiller

NEA/IPA : JMcVerry

NEA Press Guidance

Friday, June 30, 2000

MEPP/ISRAELI REINFORCEMENT OF SETTLEMENTS

Q: Comment on reports that Israel is reinforcing settlements against potential violence, including placement of tanks.

-- WE HAVE SEEN THESE REPORTS.

-- WE HAVE MADE CLEAR THAT BOTH SIDES SHOULD BE CAREFUL ABOUT STATEMENTS OR STEPS

THAT COULD UNDERMINE CONFIDENCE.

Document: Press\ds063000
Drafted: NEA/P: DSreebny
Cleared: SMEC: AMiller
NEA/IPA : JMcVerry

MEPP/242

Q: The Israeli Attorney General stated that UN Security Council Resolution 242 does not apply to the Palestinian entity. What is USG position on this?

--I'M NOT GOING TO PARSE THE MEANING OF 242, OR GET INTO A LEGAL ANALYSIS OF THE TEXT.

--242 AND 338 HAVE BEEN THE CORNERSTONE OF U.S. POLICY IN PURSUIT OF MIDDLE EAST PEACE FOR MORE THAN 30 YEARS.

--WE'VE LONG BELIEVED THAT ARAB-ISRAELI NEGOTIATIONS SHOULD BE BASED ON 242 AND 338, INCLUDING ISRAELI-PALESTINIAN NEGOTIATIONS.

NP PRESS GUIDANCE
June 30, 2000

RUSSIA-DPRK MISSILE COOPERATION

Q: Any comments on reports that firms in Russia and Uzbekistan are shipping

sensitive missile items to North Korea? What about reports that Russian entities are working with North Korea to provide missile items to Yemen?

A: WE DO NOT COMMENT ON ALLEGED INTELLIGENCE REPORTS.

-- HOWEVER, WE TAKE ALL SUCH REPORTS SERIOUSLY AND INVESTIGATE THEM THOROUGHLY.

Q: Do we find this cooperation alarming? If so, what does this indicate about Putin's concern for the global missile threat? Is Russia ignoring U.S. demands to halt arms sales to countries of concern?

-- WE TAKE SERIOUSLY ANY REPORTS OF ACTIVITIES THAT COULD ENHANCE NORTH KOREA'S MISSILE CAPABILITIES, AND INVESTIGATE THEM THOROUGHLY.

-- AS WE HAVE DISCUSSED MANY TIMES BEFORE, NONPROLIFERATION IS A TOP PRIORITY IN OUR BILATERAL RELATIONSHIP WITH RUSSIA. THE UNITED STATES HAS BEEN ENGAGED IN AN INTENSIVE DIALOGUE WITH SENIOR RUSSIAN OFFICIALS TO HELP BOLSTER RUSSIA'S EXPORT CONTROL POLICES AND PRACTICES AND STRENGTHEN IMPLEMENTATION OF ITS INTERNATIONAL NONPROLIFERATION COMMITMENTS.

-- WHILE IMPORTANT PROGRESS HAS BEEN MADE, MUCH WORK REMAINS, AND WE CONTINUE TO PRESS RUSSIA ON THIS MATTER.

-- RUSSIA IS A MISSILE TECHNOLOGY CONTROL REGIME (MTCR) PARTNER COUNTRY AND AS SUCH HAS COMMITTED TO THE MTCR GUIDELINES. THOSE GUIDELINES REQUIRE ALL PARTNERS TO EXERCISE PARTICULAR RESTRAINT IN THE CONSIDERATION OF ALL TRANSFERS OF MTCR-CONTROLLED ITEMS.

-- PRESIDENT PUTIN REAFFIRMED HIS COMMITMENT TO MISSILE NONPROLIFERATION AND EXPORT CONTROL ENFORCEMENT DURING THE JUNE SUMMIT.

Q: Has Russia shipped tritium gas to Iran?

-- WE CANNOT COMMENT ON ALLEGED INTELLIGENCE REPORTS.

-- WE HAVE SERIOUS CONCERNS ABOUT COOPERATION BETWEEN RUSSIAN ENTITIES AND IRAN'S NUCLEAR PROGRAM, AND HAVE RAISED THOSE CONCERNS WITH THE RUSSIAN GOVERNMENT AT THE HIGHEST LEVELS. TRADE AND ADMINISTRATIVE PENALTIES HAVE BEEN IMPOSED ON RUSSIAN ENTITIES BECAUSE OF THEIR INVOLVEMENT IN NUCLEAR COOPERATION WITH IRAN.

-- [IF ASKED] TRITIUM IS A FORM OF HYDROGEN THAT HAS POTENTIAL USES IN NUCLEAR WEAPONS AND IS THEREFORE SUBJECT TO EXPORT CONTROLS UNDER INTERNATIONAL AGREEMENTS TO WHICH RUSSIA IS A PARTY. TRITIUM ALSO IS WIDELY USED FOR LABELING ORGANIC COMPOUNDS AND IN SELF-ILLUMINATING LIGHT SOURCES FOR APPLICATIONS SUCH AS EMERGENCY AIRCRAFT EXIT SIGNS.

Q: Any comment on reports that North Korea is continuing its missile activities despite U.S. efforts?

-- AS WE HAVE SAID MANY TIMES BEFORE, NORTH KOREA'S MISSILE ACTIVITIES, INCLUDING ITS EFFORTS TO OBTAIN MISSILE TECHNOLOGY AND EQUIPMENT FROM FOREIGN SOURCES FOR ITS INDIGENOUS PROGRAM AND ITS MISSILE EXPORT ACTIVITIES, CONTINUE TO BE OF SERIOUS CONCERN TO THE UNITED STATES.

-- THESE ACTIVITIES UNDERSCORE WHY THE UNITED STATES PLACES A CONTINUING HIGH

PRIORITY ON MISSILE NONPROLIFERATION AND HAS PRESSED THE DPRK FOR RESTRAINTS ON THE PRODUCTION, DEPLOYMENT, TESTING, AND EXPORT OF MISSILES AND MISSILE TECHNOLOGY.

-- WE HAVE BEEN VIGOROUSLY PURSUING WITH THE DPRK OUR CONCERNS ABOUT ITS MISSILE ACTIVITIES AS RECOMMENDED BY DR. PERRY IN HIS REPORT, AND LOOK FORWARD TO CONTINUED DIALOGUE WITH THE DPRK TO RESOLVE OUTSTANDING MISSILE ISSUES.

-- AS ANNOUNCED EARLIER THIS WEEK, THE UNITED STATES AND NORTH KOREA WILL MEET IN KUALA LUMPUR ON JULY 10-12 FOR THE NEXT ROUND OF BILATERAL MISSILE TALKS.

-- THE TWO SIDES WILL DISCUSS A WIDE RANGE OF ISSUES INCLUDING U.S. CONCERNS ABOUT NORTH KOREA'S MISSILE ACTIVITIES.

[IF ASKED]

Q: What can you tell us about missile sanctions against North Korea?

A:-- ON APRIL 6, 2000, THE UNITED STATES IMPOSED CATEGORY I MISSILES SANCTIONS ON THE CHANGGWANG SINYONG CORPORATION OF NORTH KOREA.

Q: Were Iranian entities also sanctioned? Which ones?

A: --YES. WE ALSO IMPOSED CATEGORY I MISSILE SANCTIONS ON FOUR IRANIAN ENTITIES:
THE MINISTRY OF DEFENSE AND ARMED FORCES LOGISTICS (MODAFL); AEROSPACE INDUSTRIES ORGANIZATION (AIO); SHAHID HEMMAT INDUSTRIAL GROUP (SHIG); AND SANAM INDUSTRIAL GROUP.

Q: What items were transferred? What can you tell us about this technology and equipment?

A: --THE UNITED STATES IMPOSED SANCTIONS ON THE NORTH KOREAN AND IRANIAN ENTITIES FOR THE KNOWING TRANSFER OF EQUIPMENT AND TECHNOLOGY CONTROLLED UNDER CATEGORY I OF THE MISSILE TECHNOLOGY CONTROL REGIME (MTCR) ANNEX.

-- CATEGORY I ITEMS INCLUDE COMPLETE MISSILE SYSTEMS; THEIR MAJOR SUBSYSTEMS, SUCH AS ROCKET STAGES OR GUIDANCE SYSTEMS; PRODUCTION FACILITIES FOR AN MTCR-CLASS MISSILE; OR TECHNOLOGY DIRECTLY ASSOCIATED WITH SUCH ITEMS.

-- I CANNOT BE MORE SPECIFIC THAN THAT.

Q: What is an MTCR-class missile?

A:-- AN MTCR-CLASS OR CATEGORY I MISSILE IS A MISSILE CAPABLE OF DELIVERING A 500 KG PAYLOAD TO A RANGE OF AT LEAST 300 KM.

-- SCUDS ARE EXAMPLES OF MTCR-CLASS MISSILES.

Q: When did this transfer take place?

A:-- U.S. MISSILE SANCTIONS LAW APPLIES TO TRANSFERS THAT OCCUR AFTER NOVEMBER 5, 1990.

-- I CANNOT BE MORE SPECIFIC THAN THAT.

Q: What penalties were imposed for these transfers?

A:-- U.S. LAW REQUIRES DIFFERENT PENALTIES IF THE SANCTIONED ACTIVITY INVOLVES MISSILE TECHNOLOGY CONTROL REGIME (MTCR) CATEGORY I ITEMS (COMPLETE MISSILES OR

MAJOR SUBSYSTEMS) VS. CATEGORY II ITEMS (LESS SENSITIVE OR DUAL USE ITEMS).

-- THE PENALTIES FOR THIS CASE ARE FOR CATEGORY I ACTIVITY. THEY REQUIRE THAT THE UNITED STATES GOVERNMENT DENY TO THE SANCTIONED ENTITIES FOR AT LEAST TWO YEARS ALL NEW U.S. GOVERNMENT CONTRACTS AND NEW INDIVIDUAL EXPORT LICENSES FOR ITEMS CONTROLLED BY THE COMMERCE DEPARTMENT AND THE STATE DEPARTMENT.

-- IN ADDITION, BECAUSE THIS ACTIVITY WAS JUDGED TO MAKE A SUBSTANTIAL CONTRIBUTION TO MISSILE PROLIFERATION, AN ADDITIONAL PENALTY WAS IMPOSED REQUIRING THE DENIAL, FOR AT LEAST TWO YEARS, OF THE IMPORTATION INTO THE UNITED STATES OF ALL PRODUCTS PRODUCED BY THE SANCTIONED NORTH KOREAN AND IRANIAN ENTITIES.

-- FINALLY, NORTH KOREA'S STATUS AS A COUNTRY WITH A NON- MARKET ECONOMY THAT WAS NOT A MEMBER OF THE FORMER WARSAW PACT REQUIRED THAT THESE SANCTIONS BE APPLIED NOT JUST TO THE CHANGGWANG SINYONG CORPORATION BUT ALSO TO ALL ACTIVITIES OF THE NORTH KOREA GOVERNMENT RELATING TO THE DEVELOPMENT OR PRODUCTION OF MTCR ANNEX ITEMS, ELECTRONICS, SPACE SYSTEMS OR EQUIPMENT, AND MILITARY AIRCRAFT.

-- IN IRAN'S CASE, ONLY THE FOUR NAMED ENTITIES ARE SANCTIONED, NOT THE GOVERNMENT OR COUNTRY OF IRAN. THE LAW DOES NOT AFFECT IRAN IN THE SAME WAY IT AFFECTS NORTH KOREA.

Q:-- How long will the sanctions be in place?

A:-- THE SANCTIONS WERE IMPOSED FOR A TWO-YEAR PERIOD, AND WILL EXPIRE IN

APRIL
2002.

Q: Why didn't we waive sanctions in this case?

A:-- U.S. LAW PERMITS THE WAIVER OF MISSILE SANCTIONS AGAINST FOREIGN ENTITIES, IF THE WAIVER IS "ESSENTIAL TO THE NATIONAL SECURITY" OF THE UNITED STATES.

-- A WAIVER WAS NOT DETERMINED TO BE APPROPRIATE AS REGARDS THESE ENTITIES.

Q: Has the United States ever waived sanctions on North Korean and Iranian entities?

A:-- WE HAVE NOT IN THE PAST WAIVED MISSILE SANCTIONS IMPOSED ON NORTH KOREAN OR IRANIAN ENTITIES.

Q: Does either North Korea or Iran adhere to the Missile Technology Control Regime (MTCR) Guidelines?

A:-- NEITHER NORTH KOREA NOR IRAN ADHERES TO THE MTCR.

Q: What can you tell us about past missile sanctions against North Korean and Iranian entities?

A:-- THE UNITED STATES IMPOSED CATEGORY I MISSILE SANCTIONS ON NORTH KOREAN ENTITIES IN MARCH 1992, JUNE 1992, AND APRIL 1998. WE IMPOSED CATEGORY II MISSILE SANCTIONS ON NORTH KOREAN ENTITIES IN MAY 1996 AND AUGUST 1997.
-- THE UNITED STATES IMPOSED CATEGORY I MISSILE SANCTIONS ON IRANIAN ENTITIES IN MARCH 1992 AND CATEGORY II MISSILE SANCTIONS IN MAY 1996.

Context: An article by Bill Gertz in today's Washington Times states that intelligence reports indicate that Russian entities are engaged in

missile-related cooperation with North Korea. The article suggests that this cooperation makes clear that U.S. efforts to restrain the North Korean missile program have been ineffective. It also suggests that U.S. efforts to help Russia cut off the flow of sensitive items to countries of concern have not worked. Finally, the report notes that Russia is selling tritium gas to Iran. We cannot comment on the details of alleged intelligence information. However, we should stress that we investigate all such reports thoroughly. We also should underscore our ongoing commitment to preventing the spread of missiles and related technologies.

Drafted: NP/CBM:P Roe
X7-4931 06/30/00
PRESS GUIDANCE- DPRK-Russia 06-30-00

Cleared: NP: J Barker ok
EUR/PRA:D Cagan/Teggert ok
S/NIS:DFried ok
NP/CPA:C Kessler ok
C:S Snyder ok
T:T Godby ok
EAP/K:B Turner ok
EAP/CPA:K Bailes (info)
PA:A Erel ok
INR/SPM:A Vincent ok
NSC:T Maertens ok
NP/PTR:B Perry ok
NP/NE:R DelaBarre ok
NEA/P:G Sullivan ok
NE/RA:EScholfield ok

EB GUIDANCE

June 30, 2000

RESCHEDULING RUSSIAN DEBT - HELMS/GILMAN OBJECTIONS

Question

Why did you go ahead with the bilateral agreement rescheduling Russia's debts to the U.S. in spite of Congressional opposition to its entry into force?

Answer

* THE AGREEMENT IN QUESTION IS NOT A NEW INITIATIVE. THE RESCHEDULING AGREEMENT IMPLEMENTS A COMMITMENT BY THE U.S. AND OTHER MEMBERS OF THE PARIS CLUB IN AUGUST 1999 TO RESCHEDULE A PORTION OF RUSSIA'S SOVIET-ERA DEBT FALLING DUE IN 1999 AND 2000. THE DECISION TO RESCHEDULE WAS APPROPRIATE, DRIVEN BY SERIOUS FINANCIAL CHALLENGES FACING RUSSIA AFTER THE 1998 FINANCIAL CRISIS.

* AT THE TIME OF NEGOTIATION, PARIS CLUB CREDITORS DETERMINED THAT WITHOUT A DEBT RESCHEDULING, RUSSIA WOULD LIKELY NOT BE ABLE TO SERVICE ITS SOVIET-ERA DEBT. THEREFORE, OUR DECISION TO JOIN OTHER CREDITOR STATES IN A TEMPORARY RESCHEDULING OF RUSSIA'S DEBT WAS INTENDED TO MAXIMIZE THE CHANCES OF GETTING THE LOANS REPAYED.

* THE ADMINISTRATION HAS SPOKEN OUT PUBLICLY AND PRIVATELY AGAINST RUSSIA'S BRUTAL CONDUCT OF THE WAR IN CHECHNYA. WE HAVE PRESSED THE RUSSIANS TO CUT OFF

PROVISION OF TRADE CREDITS TO SERBIA. WE WILL CONTINUE TO DO SO.

* HOWEVER, WE DO NOT AGREE THAT THE BEST WAY TO INDUCE RUSSIA TO CHANGE ITS APPROACH TOWARD CHECHNYA OR SERBIA IS BY DENYING DEBT RESCHEDULING.

* MOVING FORWARD WITH THIS AGREEMENT IS IN THE INTEREST OF THE TAXPAYER. WE HAVE BRIEFED INTERESTED CONGRESSIONAL OFFICES AND HAVE OFFERED TO FOLLOW UP WITH FURTHER CONVERSATIONS AS MIGHT BE USEFUL.

Question

Why did you have to act now?

Answer

FAILURE TO RESCHEDULE WOULD DAMAGE AMERICA'S CREDIBILITY IN PARIS CLUB DELIBERATIONS, THEREBY REDUCING OUR ABILITY TO DEAL WITH IMPORTANT DEBT PROBLEMS IN A WIDE RANGE OF COUNTRIES OF GREAT IMPORTANCE TO THE UNITED STATES.

HAD THE AGREEMENT NOT ENTERED INTO FORCE BY JUNE 30, RUSSIA WOULD HAVE HAD TO MAKE A \$155 MILLION LEND LEASE PAYMENT THAT WOULD, IN EFFECT, VIOLATE THE TERMS OF THE 1999 PARIS CLUB AGREEMENT, OR LOSE ITS NORMAL TRADE RELATIONS STATUS. THIS WOULD RUN THE RISK OF RUSSIA RECIPROCATING AND PUT IN JEOPARDY MILLIONS OF DOLLARS OF U.S. EXPORTS TO RUSSIA AND THE JOBS THAT DEPEND ON THEM.

Question

What has the U.S. Government done to stop Russia from committing atrocities in Chechnya and giving aid and comfort to Milosevic?

Answer

* WE HAVE SHARPLY CRITICIZED RUSSIA'S CONDUCT OF THE WAR IN CHECHNYA, BOTH PUBLICLY AND PRIVATELY. MOST RECENTLY WE CO-SPONSORED A RESOLUTION ON CHECHNYA AT THE UN HUMAN RIGHTS COMMISSION WHICH CALLED FOR INVESTIGATION OF REPORTS OF HUMAN RIGHTS ABUSES THERE.

* WE ALSO HAVE PRESSED THE RUSSIAN LEADERSHIP OVER ITS RELATIONSHIP WITH THE MILOSEVIC REGIME AND OBJECTED STRONGLY TO RUSSIA'S PROVISION OF TRADE CREDITS TO SERBIA. THIS ISSUE HAS A COMPLEX HISTORY, AND WE ARE STILL ESTABLISHING FACTS REGARDING RUSSIAN IMPLEMENTATION OF THE 1997 AGREEMENT WITH SERBIA. THE RUSSIAN GOVERNMENT INFORMED US QUITE RECENTLY THAT IT HAS DENIED A SERBIAN REQUEST FOR DIESEL FUEL CREDITS WORTH \$32 MILLION.

Background: The USG has notified the Government of Russia that our bilateral agreement to implement the terms of the 1999 Paris Club debt rescheduling has entered into force. Senator Helms and Rep. Gilman had both opposed the agreement.

Draft: EB/IFD/OMA: Asnow x78830
Seoma/Press Guidance/Overriding Helms objection on Russia debt bilateral

Clearance: EB/IFD: DNelson (acting)
S/NIS: Rkiene - ok

H: Mguest - ok
P: Dshields - ok
D: Tkaidanow - ok
E: WmcGlynn - ok
Treasury: Clowery - ok
NSC: MWeiss - ok

06/30/2000 11:06 AM

WHA Press Guidance
June 30, 2000

COLOMBIA: REACTION TO INTERNATIONAL MEETING IN DMZ

Q: Does the U.S. support the international delegation of diplomats meeting with the FARC? Do you support or oppose other countries meeting with them?

THE U.S. GOVERNMENT DOES NOT OPPOSE THE JOINT GOVERNMENT - FARC
ALTERNATIVE
DEVELOPMENT SEMINAR AND HOPES IT WILL BOLSTER THE PEACE PROCESS. WE
SUPPORT ALL
EFFORTS TO ACHIEVE A NEGOTIATED SETTLEMENT SINCE THAT IS THE BEST WAY TO
ADDRESS
COLOMBIA'S MULTIPLE PROBLEMS AND TO ACHIEVE PEACE. OTHER COUNTRIES ARE
FREE TO
TALK TO WHOMEVER THEY WANT. SUCH MEETINGS DO NOT CHANGE U.S. POLICY OF NO
TALKS
OR MEETINGS WITH THE FARC UNTIL THOSE RESPONSIBLE FOR THE MARCH 4, 1999
MURDER OF
THREE U.S. CITIZENS ARE TURNED OVER TO THE PROPER AUTHORITIES. WE CONTINUE TO

CALL ON THE FARC AND ALL COMBATANTS TO ABANDON ATTACKS IN AREAS WHERE
CIVILIANS
MAY BE KILLED OR INJURED, AND CEASE THE INHUMANE PRACTICES OF KIDNAPPING
AND
RECRUITING CHILD SOLDIERS.

Q: Did you talk with these representatives or governments before the mission?

THE GOVERNMENT OF COLOMBIA TOOK THE LEAD, BEFORE THE MEETING, IN BRIEFING THE INTERNATIONAL DELEGATION ON ILLICIT CULTIVATION AND ALTERNATIVE DEVELOPMENT.

Q: Are they being manipulated by the FARC to distance themselves from the U.S.? THE VISITING DIPLOMATS REPRESENT COUNTRIES ALLIED WITH THE U.S. IN OUR MUTUAL FIGHT AGAINST DRUG TRAFFICKING. WE UNDERSTAND THEY ALSO PRESSED THE FARC TO IMPROVE ITS HUMAN RIGHTS RECORD AND TO ABIDE BY INTERNATIONAL HUMANITARIAN LAW.

CONTEXT: The Government of Colombia and the FARC are jointly hosting a meeting June 29 and 30 on alternative development in the demilitarized zone. Diplomats and officials from Europe, Canada, Japan, and the United Nations traveled to Colombia to participate. The U.S. was invited but declined to attend as we have cut off all contact with the FARC due to the kidnapping and murder of 3 U.S. citizen NGO activists in early 1999.

Searand/Andco00/Press Guidance/Despeje Meeting 6.30.00

Drafted: WHA/AND:KStiansen

Cleared: WHA/AND:MMeigs OK
WHA/AND:CHoey OK
WHA/PDA:Tmoore OK
CA/OCS:JTheis subs
S/CT:TCarter OK

WHA Press Guidance
June 30, 2000

PERU: OAS MISSION READOUT

Q: What is the U.S. view of the recommendations presented by the OAS mission to the GOP on strengthening democracy? Were they accepted by the GOP and the opposition?

A: WE COMMEND THE OAS MISSION, LED BY SECRETARY GENERAL GAVIRIA AND CANADIAN FOREIGN MINISTER AXWORTHY, FOR ITS THOUGHTFUL AND COMPREHENSIVE RECOMMENDATIONS TO PRESIDENT FUJIMORI ON MEASURES TO STRENGTHEN DEMOCRACY. THESE INCLUDED SPECIFIC SUGGESTIONS ON REFORMS IN THE AREAS OF THE JUDICIARY, HUMAN RIGHTS, THE ELECTORAL PROCESS, AND PRESS FREEDOM, AS WELL AS CHANGES TO THE INTELLIGENCE AND ARMED SERVICES.

* WE WELCOME THE GOVERNMENT OF PERU'S ACCEPTANCE OF THESE PROPOSALS AS A BASIS FOR DISCUSSION WITH THE POLITICAL COMMUNITY AND CIVIL SOCIETY. WE URGE THE GOVERNMENT TO FOLLOW UP WITH CONCRETE ACTION TO DEMONSTRATE ITS COMMITMENT TO DEMOCRATIC REFORM. WE LOOK FORWARD TO THE FULL RESPONSE OF THE GOVERNMENT OF PERU TO THE OAS MISSION RECOMMENDATIONS.

* EFFECTIVE DEMOCRATIC REFORM CANNOT BE ACHIEVED WITHOUT THE FULL PARTICIPATION OF THE POLITICAL OPPOSITION AND CIVIL SOCIETY. WE URGE ALL PARTIES TO WORK COOPERATIVELY AND TO BEGIN THE DIALOGUE NOW.

* WE UNDERSTAND THE OAS WILL ORGANIZE WORKING GROUPS IN PERU TO ADDRESS SPECIFIC THEMATIC ISSUES AND THAT A SECRETARIAT WILL BE ESTABLISHED IN LIMA TO PROVIDE

MONITORING AND OVERSIGHT. WE URGE ALL PARTIES TO THE DIALOGUE TO USE THIS OFFICE AS A RESOURCE TO ADDRESS ANY QUESTIONS OR CONCERNS ON THE PROCESS.

Q: The OAS mission, allegedly with the support of the Clinton administration, reportedly asked Fujimori to remove intelligence chief Vladimiro Montesinos. Was the U.S. behind this? Will you insist on Montesinos' removal?

A: WE HAVE NOTED ON SEVERAL OCCASIONS, INCLUDING IN OUR ANNUAL HUMAN RIGHTS REPORT, OUR CONCERN OVER THE ROLES OF THE SECURITY FORCES AND INTELLIGENCE SERVICES. THERE WERE NUMEROUS ALLEGATIONS DURING THE ELECTORAL PROCESS OF IMPROPER USE OF THESE SERVICES TO PROMOTE PRESIDENT FUJIMORI'S CAMPAIGN. WE FULLY SUPPORT THE OAS MISSION'S RECOMMENDATION TO REFORM THESE SERVICES AND WE URGE THE PERUVIAN AUTHORITIES TO ACT QUICKLY ON THESE RECOMMENDATIONS.

(IF PRESSED): THE U.S. TOOK THE OPPORTUNITY TO DISCUSS WITH SECRETARY GENERAL GAVIRIA AND FOREIGN MINISTER AXWORTHY A VARIETY OF POSSIBLE REMEDIES TO THIS PROBLEM.
I HAVE NOTHING FURTHER TO ADD AT THIS TIME.

Context: The Organization of American States mission to Peru, led by OAS Secretary General Gaviria and Canadian Foreign Minister Axworthy, presented recommendations June 28 for strengthening democracy to the GOP. The GOP on June 29 accepted the recommendations as a basis for further discussion with the political community and civil society. Opposition leader Alejandro Toledo agreed in principle to discuss the OAS proposals with the GOP but placed conditions on a dialogue that would require the GOP to take actions on judicial and media reform, and to reform security forces,

before the dialogue could begin. It is unclear whether the larger political opposition fully supports these pre-conditions.

The OAS will establish working groups and a Secretariat in Lima to providing monitoring and follow-up. There was no agreement on a timetable for action but the mission suggested reforms should be completed by the end of 2002, before Peru's municipal elections. The mission noted it did not have a mandate to review Peru's flawed elections but acknowledged the political opposition has the right to pursue this track. Toledo has stated that new elections are a non-negotiable point for reform.

A New York Times article reports the mission, allegedly with USG support, raised with the GOP the issue of removal of intelligence chief Montesinos. Montesinos is the alleged mastermind of numerous human rights abuses by the intelligence services, including suppression of freedom of press and harassment of political opposition during the presidential campaign. We have noted our concern about these reports on numerous occasions.

Searaand/andpe00/press guidance/OAS mission facts

Drafted: WHA/AND: E Weigold 7-4177 6/8/00

Cleared: WHA/AND: P Chicola OK

DRL: P Higgins subs

USOAS: C Roe ok

P: L Arreaga subs

WHA/PPC: T Moore ok

WHA: P Romero ok

SA PRESS GUIDANCE

June 30, 2000

SRI LANKA: RULING ON CENSORSHIP

Q: What can you tell us about today's decision by the Supreme Court of Sri Lanka that the Government's censorship ordinance is illegal?

A: THE SRI LANKAN SUPREME COURT RULED TODAY THAT THE GOVERNMENT'S CLOSURE OF A NEWSPAPER, THE SUNDAY LEADER, WAS ILLEGAL BECAUSE THE ORDINANCE GIVING THE GOVERNMENT POWER TO TAKE SUCH ACTION HAD NOT BEEN RATIFIED BY THE PARLIAMENT WITHIN SEVEN DAYS OF ITS ISSUANCE.

IT IS NOT CLEAR WHETHER THE GOVERNMENT WILL REIMPOSE THE ORDINANCE AND SEEK PARLIAMENTARY APPROVAL. PRESIDENT KUMARATUNGA (ku-MAR-a-tun-ga) HAD SAID RECENTLY THAT CENSORSHIP WOULD BE LIFTED BY THE END OF THE SUMMER.

IN THE CRISIS SITUATION FACING SRI LANKA, WE UNDERSTAND THAT SOME RESTRICTION OF INFORMATION MAY BE NECESSARY TO PROTECT THE SECURITY OF MILITARY OPERATIONS,

HOWEVER, IT CONTINUES TO BE OUR POSITION THAT PRESS FREEDOMS MUST BE PRESERVED, AND WE WILL CONTINUE TO URGE THE GOVERNMENT TO PROTECT THESE FREEDOMS.

WE HAVE RAISED THIS CONCERN WITH THE SRI LANKAN GOVERNMENT.

Q: What is the U.S. position on resolving the conflict in Sri Lanka?

A: THE UNITED STATES CONTINUES TO ENCOURAGE A NEGOTIATED POLITICAL SETTLEMENT TO THE CONFLICT THAT WOULD PROVIDE DIGNITY AND SECURITY FOR ALL SRI LANKANS WHILE PRESERVING SRI LANKAN UNITY.

WE BELIEVE THE SRI LANKAN GOVERNMENT'S PROPOSALS FOR CONSTITUTIONAL
REFORM AND
DEVOLUTION OF POWER CAN BE A SOLID BASIS FOR A PEACEFUL RESOLUTION.

Background: While the Supreme Court overturned censorship on a technicality, there is a good chance that the government will not seek to re-impose it because the crisis atmosphere under which it took effect has dissipated. Since the decision was not based on an issue of principle, it is best not to comment on it specifically.

Drafted: SA/RA:LScensny
\sara\publicaffairs\srilanka\0630censor
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SA:AEastham
SA/INS:GUsrey
P:EBarks-Ruggles
DRL/RA:MSeidenstricker

H PRESS GUIDANCE
June 30, 2000

SUPPLEMENTALS

Q: What is your reaction to the House passage of the compromise Emergency Spending Conference report, including funds for Plan Colombia, Kosovo operations and flood relief for southern Africa? Did you get the funds you requested?

A:

Supplemental Requests (Colombia, Kosovo, Mozambique)

* We are very pleased that the House has taken action on the President's supplemental funding requests for Kosovo, southern Africa and Colombia.

* Emergency funds are needed urgently in each area. We hope the Senate will act

promptly today to pass the conference report.

- * Unfortunately, the bill does not include a number of crucial items that the President requested.

- * The cuts for Kosovo and the Balkan region are most severe.

- * The bill includes no funding for our CIPA peacekeeping needs for Kosovo and East Timor.

- * Its funding for our SEED (Support for East European Democracy) accounts - needed to build up civilian institutions, and thus a key part of our "exit strategy" for American troops - is set at only \$50 million, while the President requested \$624.5 million.

- * Moreover, the conference report fails to provide any funds for the security of our employees who are serving in the Balkans under difficult and dangerous conditions.

- * The bill's funding for assistance to flood-ravaged Mozambique and southern Africa also falls far short of the mark - funding only \$25 million of the President's \$200 million request.

- * And though the bill's funding for Colombia is far better, it still essentially ignores our FY 2001 request - raising questions about our staying power in the fight to keep illegal narcotics off America's streets.

- * All of these are real needs that must be met. We urge the Congress to address these needs as the appropriations process for FY 2001 continues.

S/WCI Press Guidance
June 30, 2000

International Criminal Court: Status of Negotiations

Q. Please provide update on New York ICC talks.

A. The latest session of the UN talks on an International Criminal Court (ICC) will conclude today.

-- We expect two key supplemental documents to the Rome Treaty on the ICC to be adopted: the elements of crimes and the rules of procedure and evidence.

-- The U.S. delegation, led by Ambassador-at-Large for War Crimes Issues David Scheffer, has played an instrumental role in the drafting of both documents. The United States intends to join consensus on these documents this afternoon.

Q: Has the U.S. gained concessions?

A. The United States has achieved its objectives for this session of the ICC talks. We are very satisfied with how some contentious issues were resolved in the elements of crimes. We also are satisfied with the wording that emerged for a particular rule in the rules of procedure and evidence that we believe is important to continue our efforts to ensure that U.S. armed forces and government officials are not subject to surrender to the ICC while the United States is a non-party to the Treaty.

Q: Is the U.S. sufficiently satisfied to sign on to the Treaty?

A: The United States will join consensus today on the two supplemental documents to the treaty, namely the elements of crimes and the rules of procedure and evidence.

-- There are no plans at this time to sign the treaty. Our fundamental concern about exposure of U.S. armed forces and government officials to surrender to the Court before the United States has ratified the treaty remains to be resolved.

-- The American people would not tolerate having American officials tried before a court that is not accountable to the American government when we are not a party to the underlying treaty.

Q: What is the substance of the U.S. proposal regarding the ICC?

A: The U.S. proposal for the International Criminal Court (ICC) would allow the Court to request or accept the surrender of a non-party national acting under the overall direction of his state and whose action is acknowledged by such state, only if the non-party state consents to such surrender or under certain other conditions.

-- Yesterday a Rule was adopted by consensus that could provide a hook for the operative provision, which is a clause in the UN/ICC Relationship Agreement. The Rule by itself does not resolve our concerns.

Q: Is the United States seeking changes to the Rome Statute on the International Criminal Court?

A: No. The United States is not seeking to amend the Rome Statute. Our proposal on the ICC Treaty regime would be part of an international agreement between the United Nations and the Court that is required by the Rome Treaty.

Q: Please provide the key points made in the Scheffer press interview, particularly on the Helm legislation.

Interview Notes, 6/28, 3:00
Barbara Crossette, Edie Lederer, Evelyn Leopold
(see highlighted section, below, which deals with the Helms legislation)

DJS: This is not the end of the story. The larger part of our proposal is awaiting debate in November and December. Many governments have stated their concerns. We've heard them and we're willing to review our original language to address their two major concerns: (1) any accommodation to protect US nationals while we are a non-party not rely on the Security Council, and (2) ensure that irresponsible nations do not take advantage of a privilege of non-surrender. We're prepared to work very hard with our friends and allies in the coming months to arrive at acceptable language.

EDL: What are you hoping to achieve by tomorrow?

DJS: It's important to set the right atmosphere for discussion. How does one set the right atmosphere? By not precluding the ability of the Court to address the issue of surrender to the Court in an international agreement.

We believe that in the spirit of the Rome Treaty, the Court has power to enter into agreements on issues of surrender. Language in several different articles points to that fact. We're trying to establish a methodology that leaves open the option of the Court being able to enter in agreements.

This rule stands on its own merits. The rule clarifies Article 98(2). At the next session, we'll engage on the next debate. This is a step, not a leap.

EDL: The NGO's have been saying that the US came here looking for a four-lane highway and instead got a towline.

DJS: I'll let the NGO's come up with the metaphors. If adopted, the rule will be a gateway. It will clarify Art. 98(2) to allow the Court to enter agreements on issues of surrender.

BC: Bill Pace has taken an absolutist position. When in fact, won't the Statute and the work of the Court be more organic?

DJS: Sort of. With the Elements of Crimes and Rules of Procedure and Evidence, we want to get certain things down on paper - these shouldn't be left to judges to interpret. The Elements will provide the Court with a checklist - a checklist of actionable crimes. This is the first time that precise criteria for prosecuting these crimes against individuals, including knowledge, circumstances, etc., will be defined. This has never been done before in such a comprehensive manner. ICTY has done this on a case by case basis, but nothing near the totality of the Elements. The Elements will act as a dictionary, a guidebook, for the Court.

EVL: What about Pinochet? Disregarding that the Court cannot act retroactively, could the British then try Pinochet?

DJS: Can't really answer that question; there are too many different scenarios. This is not UN Security Council asking states to comply. The ICC statute calls for complementarity and it has article 98(2). The ICC is treaty-based. It is far more deferential to states and international agreements.

EDL: How does the SFRC legislation affect the negotiations?

DJS: We are seeking the same objective in a better way - at a less cost to our national security objectives. The legislation is counter-intuitive. It is undermining the very negotiation efforts to achieve its objectives. It holds national security hostage to individual nations ratifying the International Criminal Court. It is unnecessary and imposes requirements/obligations on actions the President can already undertake.

The world needs an International Criminal Court. Perpetrators of the most heinous crimes must be brought to justice and it will serve as a deterrent to those who commit these crimes. The international community should not have to do this on an ad hoc basis indefinitely. The treaty encourages national legal systems to do what they're supposed to be doing. We just need to find the right balance between our responsibility to help maintain peace and security and the need for international justice. The ICC has the potential for being a vehicle of international justice.

BC: I'm still confused about the Relationship Agreement.

DJS: The Relationship Agreement will have to be crafted so it doesn't have a Security Council context and so it won't open the door to irresponsible nations. We want to assist this court but cannot allow it to limit our role in international peace and security.

BC: If you don't get what you want, are you going to sabotage this Court? If you do get what you want, sign and ratify?

DJS: If we cannot achieve what we want in the end, the risks will mount considerably for conflict between the US and the Court - the US and its allies. If we do achieve what we want, prospects will improve for consideration of signing. We'll still wait to see how the Court performs first.

Background: Because the ICC talks are still underway (they end at 6:00 this evening), we need to be careful in what we say about U.S. "success." We should low-ball our achievements, because there's still the chance that NGOs will try to find a surrogate country today to reverse the progress we have made. (NGOs are

currently working the floor of the UN talks, wearing black, to symbolize their displeasure.)

The U.S. delegation to the ICC talks in New York achieved its objectives for this negotiating session. We achieved consensus on a rule for the Rules of Procedure and Evidence that we believe offers us an opportunity in November/December to pursue the more significant fix we need to the ICC treaty regime, namely, some form of protection for U.S. personnel (armed forces and government) from surrender to the ICC during the years the United States is a non-party to the treaty. Many NGO's and some governments will interpret the rule we achieved as not giving us that opportunity, but the compromise we reached keeps us in the ball game for the critical debate at the next session later this year. Second, we guided the critical document on "elements of crimes" to a successful conclusion. We had the lead on this document, of great value to the Pentagon, and we won every debate of importance to us. The rules of procedure and evidence also were concluded satisfactorily. The United States intends to join consensus on both documents today in the Plenary Session (i.e., the texts approved in the working groups yesterday). Today is the last day of the current PrepCom. The next session of the PrepCom begins in late November.

Meanwhile, Senator Helms and other Republicans have sponsored a bill ("American Servicepersons' Protection Act of 2000" that would bar all U.S. cooperation with the International Criminal Court (ICC), including arrests, extradition, intelligence-sharing and financial and technical assistance, unless the Senate ratifies the Rome Treaty establishing the ICC, and would prohibit military aid to any country that has ratified the Treaty, with exceptions only for NATO and Major Non-NATO Allies. It would also require that the ICC grant immunity to U.S. personnel in order for them to participate in any UN peacekeeping mission. The Administration is opposed to this legislation.

Ninety-eight governments have signed the Rome Treaty on the International Criminal Court (ICC) and thirteen of these have ratified it. The Treaty requires 60 ratifications to enter into force. All NATO governments except the United States and Turkey have signed the Treaty and are moving towards ratification.

Drafted: S/WCI:DScheffer; comments to DShea
Cleared: S/WCI:DScheffer (ok)
IO/UNP:JYoung (ok)
L:MCMalin (ok)
DRL:REhrenreich (subs)
S/P:TBergreen (subs)
H:DKillion (subs)
P:JCStevens (ok)
USUN/W:JMarty (ok)
NSC:DFeldman (info)

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